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*South Dakota
historical collections*

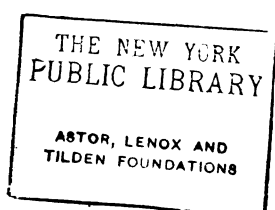
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Society, South Dakota. Dept. of History

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GOV. ROBERT S. VESSEY, 1909-1910

SOUTH DAKOTA

Historical Collections

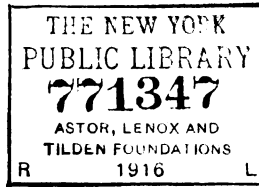
ILLUSTRATED WITH MAPS AND ENGRAVINGS

South D. **COMPILED BY**
THE STATE HISTORICAL SOCIETY

VOLUME V
1910

STATE PUBLISHING COMPANY
Pierre, South Dakota

NEW YORK
PUBLIC
LIBRARY



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State Historical Society

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LETTER OF TRANSMITTAL

Hon. Robert S. Vessey. Governor.

Pierre, South Dakota.

Sir: I have the honor to hand you herewith the fifth biennial report and Collections of the State Historical Society as required by Section 3285 of the Political Code and in conformity to the special provisions of Chapter 290 of the Laws of 1909, regulating the making of reports of State Officers, Boards and Institutions to the governor, and the printing of the same.

Faithfully,

DOANE ROBINSON,

Secretary.

STATE HISTORICAL SOCIETY

Delorme W. Robinson, President.*
Charles E. DeLand, Vice President.
Doane Robinson, Secretary and Superintendent.
George G. Johnson, Treasurer, ex-officio.

EXECUTIVE COMMITTEE

Thomas L. Riggs, term expires 1911.
Gary T. Notson, term expires 1911.
Robert F. Kerr, term expires 1911.
DeLorme W. Robinson, term expires 1911.
Charles E. DeLand, term expires 1913.
Burton A. Cummins, term expires 1913.
John Hayes, term expires 1913.
Charles M. Daley, term expires 1913.
Pattison F. McClure, term expires 1915.
Edward P. Farr, term expires 1915.
George W. Nash, term expires 1915.
Robert S. Vessey, Governor, ex-officio.
Samuel C. Polley, Secretary of State, ex-officio.
John Hirning, Auditor, ex-officio.
Doane Robinson, Secretary, ex-officio.

SUBORDINATE COMMITTEES.

Finance—Cummins, DeLand and McClure.
Printing—President, DeLand and Secretary.
Library—Daley, Riggs and Secretary.
Museum—McClure, Farr and Secretary.
Gallery—Kerr, Nash and Hayes.

*Since this report was prepared Dr. Robinson died, Sept. 26, 1910.

MEMBERSHIP

The State Historical Society of South Dakota, was duly organized on January 21, 1901, and was chartered as the Department of History on February 5, 1910, by act of the legislature. It is composed of the following life, annual, honorary and corresponding members:

LIFE MEMBERS

Ainsworth, Frank Beverage, Cincinnati, Ohio	Kennedy, Charles Bartlett, Madison
Aldrich, Irwin Dayton, Big Stone	Kerr, Robert F., Brookings
Anderson, John Q., Crow Creek	Lange, Moritz A., Rapid City
Ash, Ben C., Chance	Lasell, George G., Waubay
Ashley, Edw., Cheyenne River Agency	Lavin, John D., Aberdeen
Ayers, George V., Deadwood	Lawrence, Philip, Huron
Beebe, Marcus P., Ipswich	Lincoln, Isaac, Aberdeen
Bennett, Cassius C., Pierre	Lloyd, David E., Yankton
Billinghurst, Charles B., Pierre	Logan, John D., Montreal
Boettcher, F. W., Aberdeen	Lord, Louis K., Parker
Bullock, Seth., Sioux Falls	Marble, A. H., Belle Fourche
Burke, Charles H., Pierre	March, George Kleth, Pierre
Brauch, Emiel, Hurley	McClure, Pattison F., Pierre
Brown, James M., Eureka	McKinney, Charles E., Sioux Falls
Cheever, Walter M., Brookings	Morris, Frank A., Huron
Chilcott, Ellery C., Brookings	Nash, George W., Aberdeen
Collins, E. E., Vermillion	Nelson, Wilmer D., Pierre
Cook, Edmund, Wilmot	Notson, Gary T., Alexandria
Crane, Frank, Watertown	Ochsenreiter, Louis G., Webster
Crawford, Coe I., Huron	O'Gorman, Thomas, Sioux Falls
Cummins, Burton A., Pierre	Parmley, Joseph W., Ipswich
Daley, Charles Mott, Douglas, Wyo.	Pearson, Robert E., Washington
DeLand, Charles E., Pierre	Puckett, Benj. F., Hosmer
Dewell, Samuel Grant, Pierre	Reeves, James D., Groton
Droppers, Garrett, Chicago	Richmond, Myrtle, Ree Heights
Dunlevy, William Peake, Aberdeen	Riggs, Theodore F., Pierre
Eastman, David, Wilmot	Riggs, Thomas L., Oahe
Ellerman, Herman, Aberdeen	Robinson, Delorme W., Pierre
Elliott, James D., Tyndall	Robinson, Doane, Pierre
Elrod, Samuel H., Clark	Roddle, William H., Brookings
Farr, Edward P., Pierre	Shober, Howard C., Highmore
Farr, Mary Noyes, Pierre	Schamber, John, Wessington
Foncannon, Charles Boyd, Eureka	Schellenger, G. J., Selby
French, Kathryn M., Elkpoint	Smith, Richard L., Miller
Gamble, Robert J., Yankton	Snow, George W., Springfield
Goddard, Thomas M., Vermillion	Snow, Mrs. G. W., Springfield
Goodfellow, Ferd. J., Los Angeles	Spafford, Dr. F. A., Plandreau
Halley, James, Rapid City	Sterling, Thomas, Vermillion
Haney, Dick, Pierre	Sutherland, John, Pierre
Hanson, Joseph Mills, Saint Louis	Swanson, O. S., Sioux Falls
Hayes, John, Fort Pierre	Thrall, Herbert W., Huron
Hedger, Samuel C., Aberdeen	Tilton, Horace G., Vermillion
Herried, Charles N., Aberdeen	TrePethren, E. B., Revillo
Hipple, John E., Pierre	Trumbo, Frank, Wagner
Howard, Charles A., Aberdeen	Van Osdel, Abraham L., Mission Hill
Hyde, Charles L., Pierre	Warner, E. J., Cheyenne River Agency
Johnson, Nathan P., Beaverton, Ore.	Westdahl, John, Huron
Kean, John T., Woonsocket	Williams, David, Duluth, Minnesota
	Wilson, E. H., Salem

HONORARY MEMBERS

Shoteau, Pierre, Saint Louis, Mo.	Williamson, John P., Greenwood
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ANNUAL MEMBERS

Robinson, Rev. Hugh B., Brookings

CORRESPONDING MEMBERS

Head, Idress, Saint Louis	Shambaugh, Benj. F., Iowa City, Ia.
King, Grace, Baton Rouge, La.	Thwaites, Reuben G., Madison, Wis.
Libby, O. G., Grand Forks, N. D.	Upham, Warren, St. Paul, Minn.
Martin, George, W., Topeka, Kansas	Weber, Jessie P., Springfield, Ill.
Paine, C. S., Lincoln, Nebraska	Clay, M. J., Evanston, Illinois
Sampson, F. A., Columbia, Mo.	

DECEASED MEMBERS

Ainsworth, Cephas W., 1908
Armstrong, Moses K., 1905
Berg, Otto C., August 1, 1905
Gold, Sidney R., March 6, 1905
Green, Joseph M., July 6, 1908
McDowell, Robert E., June 26, 1908
Nash, Newman Curtis, February 8,
1905
Pyle, John L., February 21, 1902
Shanafelt, Thomas M., August 17,
1909

FINANCIAL STATEMENT

RECEIPTS

Balance on hand July 1, 1908.....	\$	3.53
Unexpended balance Const Debates		5.00
Books sold		39.83
Membership fees		52.00
Other fees		5.75
Appropriation from state 1909.....		5,420.00
Appropriation from state 1910.....		6,360.00
Total for biennium		<u>\$11,885.66</u>

DISBURSEMENTS

Secretary's salary two years	\$	2,900.00
Assistant		1,920.00
Stenographer		1,320.00
Two clerks		2,640.00
Indexing Debates		5.00
Extra help		10.00
Freight and express		133.33
Stationery and postage		407.85
Vital statistics blanks		848.75
Incidentals		223.33
Museum		20.00
Library		988.49
Gallery		6.50
Furniture and fixtures		251.30
Railway fares and livery		150.35
Hotel bills		47.31
Cash on hand in private fund		17.25
		<u>\$11,885.66</u>

PROCEEDINGS.

The fourth biennial meeting of the State Historical Society of South Dakota was held at the hall of the house of representatives in the old capitol at Pierre on the evening of January 20, 1910: President Robert F. Kerr, presiding, and Governor Vessey occupying a chair upon the platform. An invocation was offered by Dr. H. P. Carson, of Huron, and a song was beautifully rendered by the Dudley Buck Quartette composed of Messrs. Askin, Kienholz, Quakenbush and Riggs. President Kerr delivered his biennial address upon "Some Unconscious Factors in Our Historic Development."

The biennial election of members of the executive committee followed. To fill the vacancy occasioned by the resignation of Dr. Thomas M. Shanafelt, Gary T. Notson, of Mitchell. To succeed Seth Bullock, Louis K. Lord and George W. Nash, whose terms expire with this meeting; Pattison F. McClure of Pierre, Edward P. Farr, of Pierre, and George W. Nash, of Aberdeen.

At the conclusion of the election an hour was spent in reminiscences of early days in Dakota territory by Hon. Frank Trumbo, of Wagner, Hon. C. S. Amsden of Milbank, Hon. Charles E. DeLand of Pierre and Dr. Thomas L. Riggs of Oahe.

At the close of the biennial meeting the executive committee assembled and organized by the choice of Dr. DeLorme W. Robinson, for president, and Hon. Chas. E. DeLand for vice president. The regular standing committees as published upon another page, were duly appointed. The following resolutions were presented and unanimously passed: "Resolved, that the thanks of this society are due and are hereby tendered to Dr. DeLorme W. Robinson, for the generous gift of his extensive Sioux Indian Museum, and the secretary of the society is hereby directed to preserve such collection and add to it from time to time as opportunity offers to secure other valuable and unique relics of the Sioux people, and to keep and establish the same as "The DeLorme W. Robinson Sioux Indian Museum."

"Resolved that the thanks of the State Historical Society are hereby tendered to Hon. Charles E. DeLand for his exhaustive labors in preparing his excellent treatises upon the aborigines of South Dakota; labors which were performed unselfishly and without thought of reward."

GENERAL PROGRESS.

The department of History has arrived at a stage of its development where the routine of its five divisions exhausts the time and the energy of the superintendent and his assistants, leaving little opportunity for pursuing the work into new fields. We now have five distinct divisions, each requiring painstaking care and much labor and there are but five individuals employed in carrying on the diverse lines of work. While each assistant has specialized work in some particular division it is necessary to call any or all of them at any time into some other division of work where the pressure for the time being is greatest. The growth of the state makes a corresponding increase in the stated and routine duties of each division, and to that extent enlarging our activities.

REMOVAL TO NEW CAPITOL.

The notable incident in the work of the past year has been the removal of the effects of the department to the new capitol and the transportation of the vast accumulation of books and property occupied all of the time which could be devoted to it from February until May. It was found impossible to get rooms connectedly and it was therefore necessary to secure quarters for the Legislative Reference division in the east wing of the capitol, under the supreme court library, where the state documentary library is established in care of Mr. Thomas Askin, assistant librarian.

Space for the congressional sheep set was found in the main room in the west wing intended for the gallery and exhibition purposes; the general miscellaneous library is placed in the north room; the newspaper department and reading room is in the basement, while some ten thousand volumes of valuable miscellaneous matter are shelved in an unfinished and unheated room in the basement where they are taking injury from the dampness which accumulates in an unventilated basement room.

The capitol commission provided the department with a fine outfit of metal furniture and exhibition cases which render the

work much easier and more convenient than hitherto. The exhibition cases are housed in the main corridor of the ground floor of the capitol and are a source of much interest to the public. Every portion of the rooms assigned to the use of the department is filled to its utmost capacity already, except the newspaper division of the library where we have space for expansion for a period of perhaps six years.

THE HISTORICAL SOCIETY.

Owing to the conditions above set out the State Historical Society division has undertaken no new work during the biennium but has been forced to content itself with the arrangement and indexing of the matter in hand, the making of notes upon such historical topics as came within our reach and in supplying historical information to the many inquirers who come to us personally or by letter. So far as possible the secretary has responded to invitations to speak upon state history and has made twenty-one addresses during the past two years, in different portions of the state.

At a small expense the society provided a rustic granite monument to be erected upon the site where the Shetak captives were rescued in 1862 which is situated near Mobridge, in Walworth county, and the Old Settlers' Association of that county provided a suitable base for the same and set it up and duly dedicated it upon June 16, 1909. Former president, Robert F. Kerr, represented the society at the dedication exercises.

On August 25, 1909, the citizens of Vermillion dedicated a fine monument which marks the site of the first permanent school house built in Dakota territory. The secretary was present upon invitation and delivered an address.

A rustic granite monument to mark the site of old Fort Sully, near the capitol, has been ordered by the society but not yet delivered.

Steps have been taken to secure title to the site of Old Fort Pierre, which for a period of more than a quarter of a century was the chief center of civilization in the Upper Missouri valley and as soon as a survey has been completed to accurately locate the

ground a deed will be made as a free gift to the state of the site, by Hon. James Philip, the present owner.

The citizens of Bon Homme are moving in the matter of a suitable monument to mark the site of the first school house built in the territory. The society is not participating in this but is interested in it as an important historical monument.

During the past biennium five new life members and one annual member have come into the Society and two life members, Dr. Thomas M. Shanafelt and Colonel Joseph M. Green have died.

STATE LIBRARY.

The removal of the state library from the old capitol brought to light very many valuable volumes which had for years been buried in the basement of the old building:

The number of bound volumes and pamphlets in the library at this time is as follows:

	Bound Vol- umes	Pam- phlets	Broad Sides	Total
South Dakota Division.....	2,433	185	904	3,522
Historical and Miscellaneous	1,113	126	267	1,506
Congressional Sheep Set.....	4,827	.....	.....	4,822
Legislative Reference	5,312	1,900	.....	7,212
Unclassified	7,500	5,000	.....	12,505
Total	21,185	7,211	1,171	28,572

It is highly important that early provision be made for housing the unclassified books now stored in the basement where they are constantly taking injury.

The library is more and more referred to each year both by visitors and through the mail. It is a great public, educational convenience which should have the care of the state and means to develop it and keep it up with the demands of the times.

THE CENSUS.

All that is attempted in this division is an annual review of the progress of the state a leading feature of which is a summary of the yield and value of the state's productions. The issues of

this review for the years 1908 and 1909 are printed herewith. The aim is to make this annual review brief but comprehensive, setting out tersely current conditions and the public exhibits a keen interest in it.

The estimates upon production contained in it are based upon information secured through a system of postal card inquiries sent out to intelligent citizens in every county; upon returns of actual shipments made to this department by the several railroad companies operating in the state and from personal observation of the secretary who annually makes a trip for the purpose over the state.

THE VITAL STATISTICS.

This division of the work of the department is one that involves a vast deal of labor, taking up all of the time of one assistant and about one half of the time of two others in addition to the superintendence of it.

The writer regards it of the first importance that this work be continued and enlarged. In addition to its vast importance historically and in the preservation of the public health it has won for South Dakota the high distinction of having the lowest death rate of any state in America and consequently of any community in the world. In the progress of the enlightened world it has come to be regarded as the duty of every civilized community to keep a record of its people, their births, deaths, marriages, divorce, and other social statistics. I believe it would be wisdom to add the collation of all the state's criminal statistics to the work of this division. It is rather surprising to learn that in South Dakota no means are provided to afford information pertaining to crime; the number of offenses; the number brought to trial; the number of convictions and the like. Such information is of the first importance and should certainly be no longer neglected.

LEGISLATIVE REFERENCES.

The work of this division is well revealed in the report of Mr. Thos. Askin, assistant librarian which is hereto appended. In the address recently delivered by Chief Justice Whiting of the

Supreme Court, before the South Dakota Conservation and Development Congress, he said: "I am glad our state has established a Legislative reference division and I hope its functions may be enlarged."

That the Division is doing the state a great service will not be gainsaid by any one conversant with its work.

CONSERVATION COMMISSION.

The secretary of this department has acted during the past three years as secretary of the South Dakota Conservation Commission upon appointment from Governor Crawford and confirmed by Governor Vessey. In this capacity he prepared the report presented to the last session and has aimed to permit no week to go by without contributing to the press something pertaining to the conservation of the state's resources and the development thereof. In this connection he acted as secretary of the South Dakota Conservation and Development Congress held at Pierre June 29, 30 and July 1, 1910, and devoted the entire month of June to promoting the success of the meeting.

REPORT ASSISTANT LIBRARIAN.

Pierre, South Dakota, July 18, 1910.

Hon. Doane Robinson, Superintendent,

Pierre, South Dakota.

Sir:—

I have the honor to hand you herewith a statement relative to the activities of the Division of Legislative Reference covering the period from September 1907 to July 1910.

The regular work of the Division, that of classifying and indexing material upon all subjects which the legislator may desire information, has been carried forward. Beside this routine work, I have made an index of all bills which have been introduced but failed of passage in the last five sessions of the legislature. I may state here, that the index just referred to was found to be of great assistance in locating former measures which members of the legislature desired to use as drafts for bills at the session of 1909. With the financial assistance of Governor R. S. Vessey, the Division has issued its first bulletin entitled, "A Digest of the Governor's Messages Since Statehood". The two especial enterprises which engaged my attention during the year 1908, were the proof reading and indexing of the two volumes of the Constitutional Debates and the fourth volume of the South Dakota Historical Collections. I have also assisted in the preparation of The Annual Review of the State of South Dakota and the Annual Report of the Division of Vital Statistics.

In November 1908, I sent a letter to each member elect of the legislature informing him that the Division of Legislative Reference desired to be of assistance in furnishing material on all subjects. Seventy letters requesting information were received as a result of the letter sent out by the Division.

During the session of the legislature, the Division advised with the members and drafted for them many measures. At this time, the legislators made such demands upon the Division, that

it was necessary for the Superintendent, his stenographer, myself, and two stenographers especially assigned to the Division, to devote our entire time and efforts to give the desired assistance. The following is a list of subjects on which the Division gave information to the members of the session of 1909.

Agriculture, Board of.

Animals.

Apportionment, congressional.

Assessment.

Automobiles—good roads for.

Ballots—constitutional amendments on.

Banks—depositories—deposits—guaranty.

Bills—number introduced.

Birds—shooting of.

Boiler—steam—inspection.

Bounties—wolves.

Breweries—owning saloons.

Cars—minimum weight.

Certificates—third grade.

Chaplain penitentiary.

Cities—water boards—assessment.

Cigarettes.

Competition unfair.

Corporations.

County option.

County superintendents.

Courts—circuit—supreme.

Criminal law.

Depositories.

Deer laws.

Divorce.

Discrimination unfair.

Dog tax.

Drainage.

Drinking on trains.

Drugs.

Folio—2.

Election judges.
Election returns.
Engines—traction.
Exemptions.
Fair Corporations.
Feed racks.
Fence partition.
Flag desecration.
Food and drugs.
Fort Meade.
Freight rates.
Game laws.
Glanders.
Good roads.
Gopher bounty.
Grain certificates.
Grain companies.
Grain elevators.
Hail insurance.
Headlights—electric.
Health.
Herd Laws.
Highways.
Immigration.
Indeterminate sentence.
Insane—maintance of.
Intoxicants.
Insurance—accident—gifts with policy.
Interest on state warrants.
Jurors—summons by mail—challenge to in criminal case.
Law, criminal.
Legislative Reference—lobby.
Liens.
Meandered lakes.
Mining.
Mortgages—taxation of.
Music in public schools.

Musk rats.
Normal schools—appropriations.
Oil inspection—tests.
Patent medicines.
Penitentiary.
Plat books.
Poor laws.
Population—apportionment.
Portraits.
Property—procuring succession to.
Provoke law.
Public buildings.
Public utilities.
Railroads—feed racks—troughs—rates—time tables.
Referendum.
Roads, good.
Right of way.
Scales at stations.
School books.
School bonds.
School lands.
School—normals.
School—state aid.
Seeds, pure.
Sewerage.
Stallions.
Suffrage.
Supreme Court.
Tarriff, lumber and wool.
Tax on mortgages.
Tax commission.
Tax titles.
Telephone connection, rates.
Telegraph.
Treating.
Traction engines.
Twine Plant.

University.

Unfair competition.

Water boards.

Waiting Rooms at stations.

During the session of 1909 a record in the shape of a card index was kept showing each member's name and the assistance desired. The record shows that eighty-five legislators made use of the Division of Legislative Reference.

As assistant librarian, I helped transfer the effects of the Department of History from the old to the new Capitol. Since occupying the new quarters, I have been engaged in cataloging and indexing the State Documentary Library. I hand you herewith the manuscript of the catalog.

Respectfully,

Thos. Askin,

Legislative Reference Librarian.

CATALOG

Of Publications in the South Dakota State Documentary Library

The letter p. following a date signifies, paper bound.

ALABAMA

- Documents Governor's message, 1896. p.
- Journals
 - House 1873.
 - Senate 1872-3.
 - 1873.
- Code 3 volumes.
- Reports
 - Auditor 1887-8, p.
 - 1889 3 copies. p.
 - Superintendent of Education 1870, 1882.
 - Treasurer, 1889, p.; 1899, p.; 1900, p.
 - Register for 1905, 1907.

ARIZONA

- Documents Governor's message 1905, p.
- Journals
 - 2nd, 3rd, 9th, 10th, 11th, 12th, 14th, 16th,
 - 17th, 18th, 19th, 24th Assemblies.
 - 2nd, 3rd, 12th, cloth, others p.
- Commissions Live stock 1893, p.
- Reports Treasurer 1900, p.

ARKANSAS

- Documents Public, 1887, 1888, 1899, 1890, 1891, 1892,
- 1895, 1896, 1897, 1898, 1901, 1902.
- Journals
 - House 1881, 1889, 1893, 1897, 1903.
 - Senate 1881, 1889, 1891, 1893, 1897, 1899,
 - 1903.
- Boards
 - Health, 1881, 1882, p.
 - Railroad Commissioners, 1899, 1890.
- Reports
 - Auditor, 1882, 1884, p.
 - Insurance (laws) 1895.
 - Secretary of State, 1880, 1882, 1890, 1895,
 - 1896, 1899, 1900.
 - Schools, 1879, 1880, 1881, 1882, 1883, 1884,
 - 1886, 1887, 1888, 1891, 1892, 1893, 1894,
 - 1899, 1900.
- Legislative hand book, 1873.

CALIFORNIA

- Documents Governor's message, 1895.
- Journals
 - Assembly, 14, 15, 16, 17, 18, 19, 23, 25, 26,
 - 27, 29, 30, 35, 36, 37.
 - Assembly and Senate, 14, 15, 17, 18.
 - With appendices to, 15, 17, 18, 30.
 - Senate, 14, 15, 16, 17, 18, 19, 23, 25, 27, 29, 30,
 - 36, 37, 38.
 - Appendix to, 37, 17, 18, in duplicate.
- Reports
 - Adj. Gen. 1864, 1865.
 - Building and Loan Associations, 1895, 1900.
 - Comptroller, 1884, 1886, 1888, 1891, 1892,
 - 1893, 1894.
 - Commission on system of legal practice 1896.
 - Central Pacific Railroad, 1889.

- Chinese immigration, 1878.
 Equalization board, 1889, 1890, p.
 Insurance, 1895.
 Mineralogist, 7, 8, 9, 10, 11, 12th. 9 and 11 duplicate, p.
 School, 1871, 1872.
 State Library-Report of trustees, 1890-92; 1892-4; 1894-6; 1898-1900; 1900-02; 1902-4. p.
 Treasurer, 1890, 1906-8.
 Roster, government, 1889.
 Blue book, 1891, 1893, 1895, 1899, 1903, 1907.
- Laws**
 Corporation, 1905.
 Election, 1890. p.
 School, 1891, p.
- Library**
 State catalogs, 1866, 1870, 1871, 1886, 1889, Finding list, 1892. p.
- Register**
 University, 1887-8; 1888-9; 1890-91. p.
- COLORADO**
- Documents**
 Governor's message, 1893. p.
 Constitutional convention, 1875-6. p.
- Boards**
 Child protection, 1905. p.
 Health, 1904. p.
 Labor statistics, 1891, 1904.
- Officers**
 Adj. Gen. 1904. p.
 Atty. Gen. 1903-4. p.
 Auditor, 1890-2, 1903-4. p.
 Insurance, 1895, 1905.
 Land commissioners, 1903-4. p.
 Secretary of State, 1893-4; 1903-4. p.
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 Memorial to Aaron T. Bliss, 1907.

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Documents

1861, 1869, 1870, volume 1-2.
 1871, 1872, volume 1-2.
 1873, volume 1-2.
 1874, volume 1-2.
 1875, volume 1-2.
 1878, volume 1 and 3.
 1879, 1882, volume 1-2-3.
 1883, 1884, volume 1-2--3-4-5.
 1886, volume 1-2-3-4.
 1887-8, volume 1-2-3-4.

- 1883-90, volume 1-2.
 1890, volume 1-2-3-4.
 1891, 1894, volume 1-2-3-4.
 1896, volume 1-2-3-4-5.
 1897, volume 1.
 1898, volume 1.
 1899, volume 1.
 1900, volume 2-3-4.
 1903, volume 1.
 1903-4, volume 1-2-3-4.
 1904, volume 1.
 1905, volume 1.
 1905-6, volume 1-2-3-4.
 1906-7, volume 1-2-3-4.
 1908-9, volume 1-2-3-4.
- Journal**
 Houes 1870-1-2-3-4-5-6-9, 1881 to 1887.
 Senate 1864, 1870-1-2-3-4-5-6-9; 1881-3-5-7
 Duplicates, 1864 and 1881.
- Reports**
 Auditor, 1884, 1888, duplicate, 1892.
 Charities and Corrections, 1884-6.
 Control, Board of, 1901-2.
 Dairy Commissioner, 1887-8.
 Examiner, 1888, 1892, 1894, 1902.
 Horticulture, 1890.
 Insurance, 1892-3.
 Labor, 1890 to 1896.
 Railroad Commissioners, 1887-8-9; 1886,
 duplicate.
 Schools, 1879-80; 1884, duplicate; 1890-2-4.
 High School Board, 1885.
 Secretary of State, 1877, 1892.
 Treasurer, 1889 duplicate, 1890.
- Miscellaneous**
 Laws, School, 1887.
 Manual, 1889, 1891-3-7-9; 1901-5-7-9.
 Duplicate, 1899.

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- Documents**
 Department Reports, 1877-8; 1880-2-3-4-5;
 1896-7-8-9; 1901-3-4-5-7.
- Journal**
 House, 1880 to 1886; 1890 to 1898; 1900-4-6-8.
 Duplicates, 1894-6; 1890.
 Senate, 1880 to 1888; 1892 to 1898; 1900-4-6-8;
 duplicates, 1894, 1904.
 Constitutional Convention, 1890, duplicate.
- Reports**
 Librarian, 1895-7.
 School, 1891-3.
- Miscellaneous**
 Register, 1904.

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- Documents**
- Journal**
 House, 1909.
 Senate, 1909.
 appendix.
- Reports**
 Adjutant General, 1907-8.
 Agriculture, 1909.
 Auditor, 1891-2; 1905-6-7-8.
 Building and Loan, 1907, p.
 Equalization, 1878.
 Insurance, 1890; 1908-9.
 Horticulture, 1907, 1909.
 Labor, 1891 to 1896.
 Library Commission, 1907.
 Mines, 1908.
 Railroad Commissioners, 1906-7-8.
 Schools, 1879, 1880-1-2-3-4-5-7-8; 1890-1-2-4-
 5; 1907-8.
 Secretary of State, 1898-9.
 Treasurer, 1891; 1903-4-5-6-7.

Miscellaneous

Bar Association, 1904, p; 1906-7-8.

Laws—

Corporation, 1899.

School, 1888.

Manual, 1889, 1890-1-2-3-4-5-6-7-8; 1901 to 1910; duplicate, 1907-8.

Resources, 1907-8-9.

MONTANA**Documents**

Executive, Governor's Messages, Rickard's, 1893-5; Toole, 1905-7; Norris, 1909.

Journal

House, 1891-3; 1907-9.

Senate, 1891-3; 1907-9.

Reports

Adjutant General, 1904, p.

Agriculture, 1893-5-6; 1901-3-5-7; 1904, duplicate.

Attorney General, 1909-2-5-6-8; 1895, duplicate; 1903-4-5-6-7-8., p; auditor.

Boiler Inspector, 1904-6-8.

Charities and Reform—

Child Protection, 1904-6-8.

Deaf, 1903.

Insane, 1903.

Orphan's Home, 1904-6-8; all paper.

Prisons, 1903-4.

Reform School, 1903-4.

Soldiers' Home, 1902-4-6.

Dental Examiners, 1903, p.

Engineer, 1st biennial. (

Etymologist, 1903, p.

Equalization Board, 1891-2-3-4; 1905, p.

Examiner, 1904, 6-8.

Farmers' Institutes, 1902-3-5.

Health, 1903-4-6-7-8, p.

Horticulture, 1903-4-6-7-8.

Land Office, 1903-4; 1907-8.

Library, 1903 to 1908; catalogue, 1904.

Meat and Milk Inspection, 1904, p.

Mines, 1902-5-6-7-8.

Coal Mines, 1904-5-6-7-8.

Schools, 1908, p.

Secretary of State, 1901-2-5-6-7-8.

Sheep Commission, 1903-4-6-7-8, p.

Treasurer, 1892; 1900-3-4-7-8.

Veterinarian, 1904-5-6-7-8, p.

Miscellaneous

Arbor Day, 1904; 1909, p.

Butte Public Schools, 1904, p.

Resources, 1904.

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1889, 1890-1-2-3; 1894, volume 1.

1895-6.

1897-8, volume 1-2-3-4;

1899, 1900, volume 1-2-3-4.

1901-2, volume 1-2-3-4.

1903-4, volume 1-2-3.

1905-6, volume 1-2-3-4.

1907-8, volume 1-2-3-4.

Journal

Council, 1864.

Houses, 1864, 1877-9, 1881-2-3-5, 1891-3-5-7,

1903-5-7-9.

Senate, 1877-9, 1881-2-3-5, 1891-3-5-7-9. 1903-5-7-9.

Reports

Agriculture, 1889 to 1896, 1897, paper, bulletins, 38 to 49, 52 to 59, and 76, all paper.

Auditor, 1885-6, 1889, 1909.

Banking, 1892-1894, paper.

Dairymen's Association, 1890 to 1897.

Fish Commission, 1888, 1896, paper.
 Horticulture, 1889-90, 1892 to 1898.
 Irrigation, 1896, paper.
 Land and Public Buildings, 1888.
 Relief Commission, 1892, p; duplicate, 1895, p.
 School, 1884, 1888, 1895, p.
 Buildings of 1902, paper, 3 copies.
 Secretary of State, 1882, paper, 1888, p; 1897.
 Statistics—
 Industrial, 1887, p; 1889, 1891-2, duplicate, 1893-4-5-6.
 Vital-Roster of Soldiers' and Sailors' 1892-3-5-7.
 Transportation, 1888 to 1893.
 Treasurer, 1888, p; 1892, p.
 Veterinarian, 1888.

Miscellaneous

Arbor Day Book, 1904-5, p.
 Blue Book, 1901-2.
 Experiment Station, 1891-2-3, (university).
 Laws—
 Election, 1891, 1897, p.
 Insurance, 1895.
 Irrigation, 1897.
 School, 1895.

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Documents

None.

Journals

Assembly, 1869 to 1877, 1883, 1891-3-7, 1905, 1907, duplicate.
 Senate, 1864, 1869 to 1877, 1883, 1891-3-5-7, 1905; appendix, 1873-5, 1877, volume 1-2-3.

Reports

Comptroller, 1903.
 Mineralogist, 1871-3.
 Secretary of State, 1892, 1903, paper.

Miscellaneous

Librarian, 1874, p. 1890.

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Documents

Annual reports 1873 to 1879; 1889 V. 1-2 1890 V. 1-2-3; 1891 V. 1-2-3; 1892 V. 1-2-3; 1893 V. 1-2-3; 1894 V. 1-2-3; 1895; 1895-6 V. 1-2-3; 1897; 1897-8 V. 1-2-3; 1899; 1899-1900; 1901; 1901-2, V. 1-2-3; 1903; 1903-4 V. 1-2-3; 1905 V. 1-2; 1905-6 V. 1-2-3-4; 1907 V. 1-2; 1907-8, V. 1-2-3-4.
 Council records, index, 1831-1784.
 Constitutional convention, 1903.

Journals

House and senate, 1866; 1870-2-3-4-5-6-8-9; 1889; 1890-1-3-5-7-9; 1901-3-7-9. Index to house journals, 1691-1781.

Reports

Agriculture, 1860 duplicate; 1873-4.
 Charities and corrections, soldiers' home, 1891, paper.
 Fish commission, 1893.
 Insurance, 1894-6.
 Labor, 1893-4.
 School, 1876 duplicate; 1877-8-9; 1881-2-3-5-7; 1890-1-3-4.
 Secretary of state, 1907.

Miscellaneous

Library, author list, 1904, V. 1; supplements, 1906-8.
 Manual of general court, 1891-3; 1901-3.

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Documents

1863; 1872-3-6; 1878, V. 1-2; 1879, V. 1-2; 1883, V. 1-2; 1884, V. 1-2; 1885, V. 1-2; 1886, V. 1 and 3; 1887, V. 1-2-3; 1888, V. 1-2-3; 1889, V. 1-2-3; 1890, V. 1-2-3-4; 1891, V. 1-2-3-4-6; 1892, V. 1-2-3-4-5; 1893,

V. 1-2-3-4-5; 1894, V. 1-2-3-4-5; (1894 is duplicated under the wrong label, 1895); 1895, V. 1-2-3-4-5; 1896, V. 1-2-3-4-5; 1897, V. 1-2-3-4-5; 1898, V. 1-2-3-4-5; 1899, V. 2-3-4-5; 1900, V. 1-2-3-4-5; 1902, V. 2-3-4; 1903, V. 1-2-3-4-5; 1904, V. 1-2-3-4-5; 1905, V. 1-2-3-4-5; 1906, V. 1-2-3-4-5; 1907, V. 1-2-3-4-5-6.

Journals

Assembly, 1872-3-4-8-9; 1881-2-4-5-6-7-8-9; 1890 to 1899; 1900-3-4-5-6-7-8-9.
Senate, 1872-3-6-8-9; 1881-3-4-5-6-7-8-9; 1890 to 1899; 1900-1-3-4-5-7-8-9.

Reports

Agriculture, 1885; 1899.
Assessors, 1884.
Comptroller, 1890; 1897-99.
Insurance, 1889; 1892-4-5.
Librarian, 1888-9; 1890 to 1899; 1900; 1901, p. 1893 to 1908; library commission, 1908.
Museum, 1905.
School, 1877; 1881-3-7; 1892-3-5.
Statistics, 1888-9; 1890-1-2-3-5.
Taxation, 1895.
Treasurer, 1889.

Miscellaneous

Laws.
School, 1899.
Manual, 1896-7-9; 1890 to 1899; 1900-1-2-3-4-6-7-8-9.
Salaries, fees, etc., list of 1899.

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Documents

Assembly, 1868, Vol. 1 to 15; 1869, V. 1 to 11; 1889, V. 1 to 15; 1890, V. 1 to 14; 1891, V. 1 to 15; 1892, V. 2-3 and 7; 1893, V. 1 to 17; 1894, V. 1 to 23 (part 2 of V. 20 and 22 missing); 1895, V. 1 to 27; 1896, V. 1 to 26; 1897, V. 1 to 27; 1898, V. 1 to 24; 1899, V. 1 to 4, 6 to 10, 12 to 19, 21 to 26; 1900, V. 1-2, 4 to 17, 19, 21, 29, 31; 1901, V. 1 to 16, 18, 19, 21 to 32, 34; 1902, V. 2 to 28; 1903, V. 1 to 17, 19; 1904, V. 1 to 10, 14 to 18, 20 to 31; 1905 and 1906 missing; 1907, 1 to 14, 20 to 30; 1908, V. 1 to 10, 15 to 31.
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Senate, 1868; 1889-1890, p. 1-2-3; 1895 to 1899, each parts 1 and 2; 1901, p. 1-2-3; 1902 to 1907, p. 1-2, 1908, 1909.

Constitutional Convention

1894, V. 1-2; revised in 1900, V. 1-2-3-4.
Journal, V. 1-2.
Amendments, V. 1-2-3.
Records, V. 1 to 6.

Reports

Adjutant general, 1888; 1892-3 duplicate; 1894-5; 1900, V. 1-2-3.

- Catholic protectory, 1876, V. 1-2.
 Comptroller, 1894, 6, 9; 1901-2-3-4.
 Education (city of N. Y.) 1879; 1880-1-2, 4, 6, 9, 1892-5.
 Education, state, 1905 and supplement; 1906 to 1908; 1909 with supplement; 1910.
 Election frauds, 1869.
 Entomologist, 1885, 1891-2-3-4.
 Fisheries, game, forest, 1895 to 1899; 1900 to 1906.
 G. A. R. encampment proceedings 1893, 6, 8, 9.
 Geologist 1898.
 Health 1881-2 duplicate.
 Insurance 1894 V. 2-3-4; 1905 investigations V. 1 to 10.
 Labor 1884-6; 1890, p. 2; 1891 p. 1-2; 1892, p. 2; 1894; 1895 p. 1-2 duplicate.
 Charities and corrections, lunacy comm. 1891-2.
 Manual 1890 to 1909.
 Mediation and arbitration 1892.
 Railroad commissioners 1884 V. 1; 1888 V. 1.
 Treasurer 1889-1890.
 Public service comm. 1907 V. 1; 1908. 1-2 with maps.
 University publications
 1885 museum bulletins.
 trustees report
 1889 regents' report.
 1890 regents' report, V. 1-2-3.
 museum bulletins
 trustees report.
 1891 museum trustees report
 regents' report.
 1892 museum.
 regents' report.
 1893 museum.
 regents' V. 1-2.
 1894 Library (additions No. 3.)
 museum No. 47; 48 p. 1-2-3.
 1895 botanist.
 extension dept. No. 3.
 museum No. 49 p. 1-2-3.
 regents' No. 109 p. 1-2.
 1896 examination dept. No. 4.
 extension dept. No. 4.
 museum No. 50.
 regents' No. 110.
 1897 examination dept. No. 5.
 extension No. 5.
 regents' No. 111.
 museum No. 51. p. 1-2.
 1898. college dept. No. 1.
 extension No. 6.
 high school No. 6 p. 1-2.
 museum No. 52, p. 1-2.
 regents' No. 112.
 1899 college dept. No. 2. p. 1-2.
 high school No. 7 p. 1-2.
 home education No. 7.
 museum No. 53, p. 1-2.
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 1900 home education No. 8.
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 report No. 54, P. 1-2-3-4.
 1901 home education No. 9-10.
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 1902 college dept., No. 5.
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- 1903 College, dept. No. 6.

- 1903 High school No. 11, p. 1-2.
 1903 Library, No. 86.
 1903 Museum No. 57, V. 1, p. 1-2, V. 2-3-4.
 1903 Museum bulletins 60-65-66-68-69.
 1903 Museum memoir 5 and 6.
 1903 Regents' No. 117.
 1904 Library No. 87, p. 1-2.
 1904 Museum No. 58, p. 1-2-3-4-5.
 1904 Museum memoir No. 7.
 1904 Year book legislation.
 1905 Library, No. 88, p. 1-2.
 1905 Museum, No. 59, p. 1-2-3-4.
 1905 Museum memoir No. 8.
 1905 Year book legislation.
 1906 Library, No. 89, p. 1-2.
 1906 Museum, No. 60, p. 1-2-3-4-5.
 1906 Museum bulletins 90, 92.
 1906 Museum memoir, 8.
 1906 Museum year book, 8.
 1907 Library, No. 90, p. 1-2.
 1907 Museum, No. 61, p. 2 and 3.
 1907 Museum memoir, No. 10.
 1907 Year book, No. 9.
 1908 Library (Van Renssalaer MMs.)
 1908 Museum, No. 62, p. 1-2-3-4.
 1908 Museum memoir, 9 and 11.
 1908 Library (Johnson MMs.)
 1909 Museum memoir, 12.
 The following are all paper bound:
 College dept. bulletins 1-2-3-4.
 Educational department, 361, 364, 366, 394,
 424-5, 457, 459.
 Educational director's report, 1904-5-6.
 Entomologist, 1897.
 Extension bulletins, 1 to 4, 9 to 28.
 Home education, 40 to 47.
 Legislative bulletins 4, 6, 8, 11, 17, 20, 23-25,
 27.
 Library bulletins 333, 335, 351, 359, 369, 385,
 386, 392, 398, 407, 410, 421, 436, 438, 448,
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 Library additions, No. 4.
 Library reports 1867, 1870, 1890-1-3-4.
 Museum bulletins 11, 13, 16, 17, 18, 20 to
 30, 52, 75-6, 79, 81-2, 84, 87, 88, 89, 91,
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- Public, 1890; 1892, V. 1-2; 1894, V. 1-2-3;
 1896, V. 1-2; 1898, V. 1-2; 1900, V. 1-2;
 1901-2-3, each V. 1-2-3.
 Executive, constitutional debates, 1889 (trip-
 licate).
 Constitutional journal.

Journals

- House, 1889; 1890-1-3-5; 1901; 1905.
 Senate, 1889; 1890-1-3-5; 1901, 1905.

Reports

- Agriculture, 1890-1; 1894.
 Auditor, 1891-2-3-4.
 Charities and corrections, penitentiary,
 1895-6.
 Schools:
 Agricultural college, 1891-2.
 Courses of study, state, 1891-2.
 Superintendent's report, 1890-2.
 Statistics, 1889; 1892.
 Treasurer, 1890; 1893-4 p.
 University.
 Catalogue 1884-5.
 Regents' reports 1885; 1889; 1890, p.
 Weather service, 1895.

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Blue book 1905.

Documents

1885-6-7, each V. 1-2; 1889, V. 1-2; 1890, V. 1-2-3; 1891, V. 2, duplicate, 3; 1893 to 1901, each, V. 1-2-3; 1902, V. 3, 1903, V. 1-2-3; 1905, V. 1-2-3-4; 1906, V. 1-2-3; 1907, V. 1-2-3-4.

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House, 1886 and appendix; 1887-8; 1890, 2, 4, 6; 1902, extra session; 1904, 6, 8. Senate, 1886-7-8; 1890-2-4-6; 1900, duplicate; 1902-4-6-8 and appendix.

Reports

Adjutant general, 1903 to 1908.

Agriculture:

Experiment station, 1907.
Exposition, 1904-5.
Farmers' bulletins, 1904-5-6.
Farmers' institute proceedings, 1904-5 and 1908.
Feed stuffs, 1904-5 and 1907.
Fertilizers, 1904-5.
Nursery bulletins, 1903-4-5-6.
Nursery reports, 1904-5 and 1907.
Reports, 1885; 1882, 7, 9; 1890, 2, 3, 4, 5, 6, 7, 9; 1901 to 1907.
Arbitration, 1903-4-5-6, p.
Assessment and taxation, 1906-8, p.
Attorney general, 1893; 1905-6; 1908-9, p.
Auditor, 1873, 5, 6 duplicate, 7, 8, duplicate, 9, duplicate; 1880-1, 3 duplicate, 7.
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Banks and banking, 1908, p.

Building and loan associations, 1893 to 1897, 1899; 1900-1-2, 4-5-6-7-8.

Canal Commissioners, 1904-5.

Charities and corrections:

Blind, 1903-4-5, 7-8, p.
Deaf and dumb, 1904-5, 7, p.
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Cleveland, 1904-5-7.
Columbus, 1904-5-7.
Dayton, 1904-5-7, all p.
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Massilon, 1904-5-7-8.
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Industrial school:

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Penitentiary, 1904-5-7-8, p.
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Soldiers' and Sailors' home, 1902 to 1907, p.
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Soldiers' claims, 1905-6-7, p.

Dairy and food, 1905-7-8.

Dairymen's association, 1904-5, p.

Dental board, 1907-8, p.

Equalization report and journal, 1901, p.

Fire marshall, 1908, p.

Fish and game, 1904-5, p.

Health, 1903-4-6-7, p.

Highways:

Bulletins, 1-4-5-6-7, p.

Reports, 1904-7, p.

Library, 1882; 1890 to 1894; 1900-1, 3, 4, 5, 7, 8, p.

Live stock, 1903-4, 5, 7, p.
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 Oils inspection, 1904-5, 7, p.
 Public printing, 1903-4-5-7-8.
 Public works, 1903-4-5-7-8, p.
 Railways, 1882; 1890; 1899; 1901-3-4-5.
 Railway commissioners, 1892-3, p. 1906-7-8.
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 Laws, 1889.
 Statistics:
 Elections, 1904-5, 8, p.
 Labor, 1879, 1881-2, 1899, 1901-2-3-4, 6-7-8.
 Miscellaneous, 1862-3; 1872; 1875 to 1879; 1881-2-3-4-5-7; 1891 to 1897, 9; 1900-2-4.
 Topographic survey, 1904, p.
 Treasurer, 1899; 1904-5-7-9, p.
 Universities:
 Miami, 1905-7.
 Ohio, 1905-7.
 State, 1903-4-8, all paper.
 Workshops, 1893; 1900-3-4-5-8, p.
 Water and sewage, 1908, p.

Miscellaneous

Annals, V. 2-3.
 Bar association, 1899-1900.
 Hundred year book, 1902.
 Laws:
 Agriculture, 1905.
 Election, 1905-6-7, p.
 School, 1904-8-9.
 Taxation, 1905, p.
 Manual, 1901.
 Officials, state, county, etc., 1905-6-8-9, p.

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 Governors' messages, separate, p:
 1880 Thayer.
 1885 Moody.
 1889 Pennoyer.
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 1893 Pennoyer.
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 1898 Lord, special.
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 1903 Chamberlain.
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Journals

House, 1872, 6, 8; 1885, special session; 1887-9; 1881-3-5-8-9; 1903 to 1909.
 Senate, 1872, 4, 8; 1885, 7, 9; 1891-3-5-7, 8, special session, 9; 1903, 7, 9.

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Adjutant general, 1872; 1889; 1891; 5, 7, 9; 1900, 2, 5, 9.
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 Building commissioners, 1887; 1893, 1903-5-7-9, p.
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EIGHTH ANNUAL REVIEW OF THE PROGRESS OF SOUTH DAKOTA FOR 1908.

Perhaps the most noteworthy event of the year 1908 in South Dakota has been the opening to settlement of the unallotted lands in Tripp county, formerly a portion of the Rosebud Indian reservation. Pursuant to an act of congress providing for the opening of these lands, the president in September issued his proclamation, directing that from October 7 to October 17 parties desiring to locate homesteads upon the Tripp county lands be permitted to register for the chance of drawing a homestead at Dallas, Bonesteel, Chamberlain or Presho, and during the period designated 114,769 registrations were made, though there were but about four thousand homesteads available. The registration exceeded the famous rush to Gregory county lands in 1904 by more than eight thousand.

Primary Election. This has been a political year rendered more interesting by the first trial of the primary election law enacted by the legislature of 1907. The contest in the primary centered about the candidacies of Alfred B. Kittredge for re-election to the United States senate, and Coe I. Crawford, who opposed him for the position. Full Kittredge and Crawford tickets for state officers contested in the primary and factional lines were strictly drawn. Mr. Crawford and a majority of his ticket prevailed, but Messrs. Burke and Martin for congress and George Johnson for treasurer, of the Kittredge ticket were nominated. The scope of the law was somewhat limited by the supreme court, in actions brought to test its constitutionality. The contest in the primary was limited to the republican candidates, except that Robert E. Dowdell and Andrew H. Olson defeated Tazewell Simmons and C. J. B. Harris for congress upon the democratic ticket. Andrew E. Lee was nominated for governor. Two independent republican candidates for state office were defeated in the primary.

The Campaign. The republicans, democrats, prohibitionists socialists and independence parties had tickets in the field, but the contest was between the republicans, led by Robert S. Vessey candidate for governor, and the democrats under Andrew E. Lee for governor. The republican presidential electors won with a majority of about 25,000 and the state ticket by about 18,000.

County Option. The temperance people initiated a county option bill in the legislature of 1907 and it was before the people for ap-

proval at the general election in November of this year and was defeated by 1,875 votes. Only about two-thirds of those voting at the election voted upon this and other referendum bills and proposed constitutional amendments.

Divorce. South Dakota has long suffered bad repute from the ease with which immigrants could obtain divorces here. The last legislature enacted a law requiring immigrants to reside in the state one year before beginning action for divorce and also that actions for divorce must be tried at the regular terms of court. Those interested in the divorce business secured the referendum of the act to the people at the recent election and the law was approved by a majority of 25,000, unofficial.

Railroads. For the fiscal year ending June 30, 1908, 204.60 miles of new railroad were completed in South Dakota, but only a small fraction of this amount was built in this calendar year. The South Dakota Central completed its line into Watertown, and other roads made small additions. The total railroad mileage in the state at this time is 3,842.20 miles. An electric line from Brookings to Sioux Falls is now under construction and several miles of the grade is completed.

Population. The new population due to the Tripp county opening cannot be at this time computed. There has been a large growth in the newer section of the state. Many homesteaders brought out their families last spring and made permanent settlement. Three thousand carloads of immigrants' movables crossed the Missouri river at Chamberlain and Pierre. The annexed approximation of the population as of June 1, last is reached by the proportion of school census to total population revealed by the state census of 1905. In former tests this method has been found exceedingly accurate.

TABLE I

Showing Approximate Population of South Dakota as of June 1, 1908 on
Basis of School Census.

	School Census 1905	State Census 1905	School Census 1908	Popula- tion 1908	Gain	Loss
Aurora	1,583	4,562	1,831	5,272	710	
Beadle	3,004	10,064	3,774	12,643	2,579	
Bon Homme	3,735	11,135	3,608	10,752		383
Brookings	4,751	14,019	4,657	13,638		381
Brown	5,765	17,794	6,409	19,740	1,946	
Brule	1,658	5,237	1,706	6,162	825	
Buffalo	236	639	240	660	21	
Butte	1,060	3,975	1,944	7,290	3,315	
Campbell	1,877	4,587	2,055	4,932	345	
Charles Mix	3,287	11,212	3,870	13,197	1,985	
Clark	2,812	8,701	3,043	9,403	702	
Clay	2,691	8,981	2,470	8,225		756
Codington	3,246	11,235	3,734	12,924	1,629	
Custer	981	2,899	1,059	3,044	145	
Davison	2,545	10,657	2,846	11,212	1,185	
Day	4,825	13,785	4,950	14,108	323	
Deuel	2,462	7,477	2,627	7,960	483	
Douglas	2,045	5,974	2,385	6,958	984	
Edmunds	1,856	5,293	2,107	6,110	817	
Fall River	1,214	4,222	1,197	4,058		164
Faulk	1,291	3,962	1,631	5,007	1,045	
Grant	3,312	9,600	3,431	9,950	350	
Gregory	2,362	7,024	3,652	10,591	3,467	
Hamlin	2,452	6,962	2,473	7,022	60	
Hand	1,679	5,071	1,999	6,017	946	
Hanson	1,876	5,669	1,937	5,831	162	
Hughes	945	3,321	1,310	5,371	1,450	
Hutchinson	4,599	12,231	4,655	12,509	278	
Hyde	581	1,822	732	2,291	469	
Jerauld	1,151	3,576	1,450	4,495	919	
Kingsbury	3,859	11,199	3,951	11,458	259	
Lake	3,243	9,888	3,229	9,849		29
Lawrence	5,320	21,060	5,032	19,615		1,445
Lincoln	3,934	12,742	3,887	12,438		304
Lyman	1,282	4,263	2,720	8,976	4,713	
McCook	3,057	9,037	2,971	8,913		124
McPherson	2,268	5,727	2,567	6,468	741	
Marshall	2,382	7,101	2,414	7,197	96	
Meade	1,415	4,825	1,788	6,079	1,254	
Miner	2,288	6,271	2,306	6,319	48	
Minnehaha	8,504	27,282	8,245	26,384		898
Moody	2,804	8,893	2,824	8,924	31	
Pennington	1,566	6,078	2,621	10,169	4,091	
Potter	982	2,978	1,189	3,567	589	
Roberts	4,315	13,905	4,336	13,968	63	
Sanborn	1,684	5,387	1,861	5,955	568	
Spink	3,489	11,334	3,822	12,230	896	
Stanley	393	2,649	3,274	20,298	17,649	
Sully	485	1,479	571	1,736	257	
Turner	4,806	13,895	4,673	13,505		390
Union	3,521	11,212	3,300	10,527		687
Walworth	1,483	4,005	1,707	4,609	604	
Yankton	3,913	13,126	3,812	12,656		470
	138,695	436,653	152,846	489,242	58,999	6,041
Indians		18,532		18,532		
		455,185		507,774	6,041	
Net Gain					52,958	

The Assessment. The assessment shows a substantial increase in the value of the property of the state. The assessment is made upon a basis of about one-fourth the real value and the actual worth of all property is therefore about \$1,132,000,000. The table gives assessed value by counties:

TABLE II
Showing Assessed Valuation of all Property for Year 1908

Auroa	\$ 3,515,278
Beadle	8,201,918
Bon Homme	6,490,110
Brookings	7,738,559
Brown	14,158,656
Brule	3,965,203
Buffalo	763,948
Butte	3,025,042
Campbell	2,391,268
Charles Mix	6,547,405
Clark	6,523,376
Clay	4,862,277
Codington	7,031,674
Custer	1,587,818
Davison	5,386,329
Day	6,970,889
Deuel	4,812,345
Douglas	3,226,014
Edmunds	4,583,148
Fall River	2,269,331
Faulk	4,838,739
Grant	5,563,136
Gregory	3,967,843
Hamlin	4,159,727
Hand	5,944,266
Hanson	3,672,610
Hughes	3,977,380
Hutchinson	8,067,502
Hyde	2,643,530
Jerauld	3,178,738
Kingsbury	6,987,835
Lake	6,210,132
Lawrence	9,015,234
Lincoln	7,130,134
Lyman	5,627,997
McCook	5,334,794
McPherson	3,423,634
Marshall	3,926,186
Meade	2,529,943
Miner	4,008,572
Minnehaha	13,580,504
Moody	5,467,043
Pennington	5,131,764
Potter	2,519,105
Roberts	6,000,351
Sanborn	4,075,050
Spink	10,733,939
Stanley	5,012,305
Sully	2,534,461
Turner	7,726,569
Union	5,270,225
Walworth	2,893,054
Yankton	6,762,442
Campbell, unorganized	550,843
Lyman, unorganized	459,049
Stanley, unorganized	214,543
Walworth, unorganized	506,501
Total, 1908	\$283,696,268
Total, 1907	260,630,077
Increase	\$23,066,191
Increase, per cent	8.85

State Finances. On November 14 the state owed \$779,501, being \$250,000 of five per cent revenue warrants and \$529,501 of registered general fund warrants; an increase of \$278,859 during the year. This debt is really in anticipation of the tax levy of 1908, and the collections and cash in the treasury will reduce this sum very materially before the first of January, 1909, though it is apparent that the present revenues do not meet the requirements of the state.

\$220,000 have been collected upon the twine plant fund and that sum is now available for the proposed plant. The proceeds from land sales have provided all the cash thus far required for the new capitol, and the December distribution to the schools will be the largest yet made.

General Finances. In general the people are exceedingly prosperous. Money is plenty and quite generally distributed. Bank deposits have increased very materially and bankers are constantly seeking safe and profitable investments for their funds. Very large amounts of eastern commercial paper is held by the banks of South Dakota. South Dakota is actually loaning very large sums to New York and Chicago. Herewith is a statement of the bank deposits at the last call of the comptroller and the state bank examiner, the statement for the National banks being for September 23rd, and the State banks August 17th. Since that date the sale of crops and live stock has very much increased the deposits.

	Deposits Individual	Deposits Bank	Total
National banks	\$22,329,366.34	\$5,848,506.42	\$28,105,872.76
State banks.....	39,238,587.70	1,488,538.95	40,727,126.65
Totals	<u>\$61,567,954.04</u>	<u>\$7,373,045.37</u>	<u>\$68,832,999.41</u>

The growth of deposits in the banks of the state during the past ten years is perhaps the best index of the increasing prosperity and wealth of the people. The totals follow:

1898	\$10,104,185.43
1899	12,649,800.54
1900	14,732,983.71
1901	19,194,491.30
1902	29,422,424.96
1903	28,607,319.62
1904	30,611,115.32
1905	34,759,699.68
1906	45,046,254.73
1907	57,769,881.02
1908	68,832,999.41

In comparing the bank deposits of South Dakota with those of other states it must be taken into account that the money represented in our total is all our own. It is the money of South Dakotans de-

posited in our own banks. Citizens of other states do not come here to any extent to bank their money, but in almost every other state a large percent of the bank deposits come from other sates. South Dakota sends her balances to Sioux City, Omaha, Chicago, Minneapolis, Saint Paul and New York, and they are there counted to the credit of those places and swell their total.

Public Building. Good progress has been made upon the new capitol building. At this writing the walls are practically completed. Under the contract the building is to be ready for occupancy July 1, 1910. The corner stone was laid on June 25th with suitable ceremonies, and an address by General Beadle.

The other public buildings provided by the last legislature are generally completed or nearly completed, the more notable of these being the Woman's Infirmary at the State Hospital; the law building at Vermillion, and the Assembly Hall at Aberdeen, which have been held over until this year for occupancy.

Some notable churches have been built or are under construction, those of the Methodists, Congregationalists and Catholics at Mitchell, and the Congregational church at Sioux Falls being the more important. Sioux Falls has occupied her magnificent new High School building, and Watertown and Mitchell are building splendid high schools at this time. Tremendous power plants for the generation of electricity have been built on the Sioux at Sioux Falls and upon the Redwater near Spearfish. Many other public works, like opera houses, town halls, water works and sewerage plants have been put in during the year, and generally there has been much public and private building.

Federal buildings are under construction at Watertown, Mitchell and Lead.

Great public drainage propositions are under construction at Sioux Falls, by which the Sioux bottoms between Sioux Falls and Baltic will be drained, and along the Yankton, Clay county line and in Union county. These projects are authorized under the constitutional amendment of 1906.

The Belle Fourche irrigation project is being pushed to completion. Water is already distributed upon several thousand acres of land, but several years will be required to complete the monster undertaking in its entirety.

The Weather. The weather conditions throughout the year were in the average favorable to crop production. There was rather a mild winter, with little moisture until April. April, May, June and July brought abundance of rain; only a moderate amount fell in August

and September was unusually dry, ripening the corn and maturing a splendid crop. October was wetter than usual, but the autumn has generally been favorable to gathering the harvest. The rainfall at representative points, for the seasonal months was as follows:

	April	May	June	July	Aug.	Total
Aberdeen	2.88	7.51	5.20	3.72	2.28	21.59
Bowdle	2.55	2.53	4.66	6.61	3.17	19.52
Brookings	2.24	6.46	6.39	4.67	2.37	22.13
Cherry Creek .....	.50	2.26	3.74	1.10	1.35	8.95
Huron	1.45	5.47	6.94	4.12	1.38	19.36
Mitchell	3.24	9.53	7.31	2.81	2.58	25.47
Pierre	1.41	3.98	1.38	3.04	2.32	12.13
Philip .....	.82	4.98	2.91	2.54	1.62	12.87
Rapid City	1.28	5.46	4.28	1.26	.87	13.15
Sioux Falls	2.10	7.75	7.08	5.90	1.89	24.72
Watertown	3.25	3.06	6.12	.88	2.37	15.68
Yankton	2.14	3.84	5.03	4.27	3.34	18.62

The only storm of great severity struck Pukwana June 21 and wrought great havoc in the village and vicinity.

Crop Estimates. The tables herewith give a summary of the crop estimates of this department and of the Federal Department of Agriculture for the season of 1907. In determining values it will be observed the government fixes the value on the farm while we have adopted the value in the local market, upon the theory the farmers' work is not finished until he has delivered his grain in the elevator. In the main the difference in the estimates would be about the cost of marketing the crop so the difference is more imaginary than real.

	State Census			Department of Agriculture		
	Acres	Bushels	Value Local Market	Acres	Bushels	Farm
Wheat	2,651,421	30,292,813	\$24,234,250	2,900,000	32,480,000	\$28,907,000
Corn	2,034,789	54,561,268	27,280,634	1,850,000	47,175,000	21,700,000
Barley	874,964	20,438,820	14,306,779	875,000	20,125,000	12,276,000
Oats	1,351,396	36,942,508	14,037,153	1,325,000	32,728,000	12,764,000
Total	6,922,570	142,235,409	\$79,858,716	6,950,000	132,508,000	\$75,647,000

It will be observed we estimated the wheat crop of 1907 at 30,292,000 and the government placed it at 32,480,000 bushels. According to the railroads 27,880,000 bushels were carried to market. Allowing 2,250,000 bushels for bread and 2,651,000 for seed the aggregate for wheat marketed, and consumed would be 32,781,000 bushels almost precisely confirming the government's estimate. In this connection it is interesting to compare the estimates of this department

and of the government with the actual crop as determined by the distribution, for a series of years:

	Government	State	Actual Crop
1901.....	51,662,307	39,000,000	41,759,047
1902.....	43,973,000	46,858,000	42,721,000
1903.....	47,252,994	45,266,000	45,530,000
1904.....	31,453,943	24,150,000	*24,183,132
1905.....	44,133,481	43,110,000	36,266,000
1906.....	41,695,400	39,494,108	39,917,000
1907.....	32,480,000	30,292,000	32,781,000

*Census.

Wheat Crop of 1908. I am not at all satisfied with the distribution of common and durum wheat shown in the following table. It is the product of more than six hundred reports from all of the counties, but being made upon percentages referring back to the census of 1905, I am very sure we have not arrived at the right distribution, and that there is much more durum than indicated and correspondingly less common wheat. Some of the best wheat experts in the state believe the crop of durum and common wheat is nearly equally divided. However I do have confidence that the total acreage and bushels are fairly reliable.

The estimate of winter wheat is made direct upon the acres reported from the several counties and is undoubtedly nearly accurate.

Wheat, 1908						
	Common		Durum		Winter	
	Acres	Bushels	Acres	Bushels	Acres	Bushels
Aurora	42,096	631,440	1,095	16,425		
Beadle	50,605	607,260	2,025	34,425		
Bon Homme	47,500	570,000	230	4,600	1,000	20,000
Brookings	45,264	588,402	10,390	187,020		
Brown	216,893	2,819,009	14,759	265,662	200	3,000
Brule	20,343	305,145				
Buffalo	1,400	21,000	50	1,000		
Butte	3,500	42,000				
Campbell	69,250	692,500	1,567	20,371	150	2,250
Charles Mix	49,180	836,060	1,305	26,100		
Clark	51,530	772,360	14,283	285,660	100	2,000
Clay	15,188	243,008				
Codington	61,360	767,670	3,395	67,900		
Custer	550	9,250				
Davison	30,907	432,698	400	7,600	150	3,000
Day	126,276	1,767,784	48,060	991,200		
Deuel	27,932	335,184	9,470	198,871		
Douglas	40,997	409,970	3,471	49,470		
Edmunds	78,408	1,019,304	3,354	67,080		
Fall River	200	4,000				
Faulk	77,166	1,003,158	2,457	38,855		
Grant	67,895	1,018,428	1,300	26,000	60	1,200
Gregory	26,733	400,995				
Hamlin	62,090	931,350	3,127	63,540		
Hand	62,136	932,040	4,430	65,310		
Hanson	42,879	686,064				
Hughes	1,602	109,224	500	10,000		
Hutchinson	73,419	881,026	320	6,400	300	4,800
Hyde	5,861	99,637	764	17,572		
Jerauld	26,378	263,780	240	3,600		
Kingsbury	86,077	1,032,924	1,575	25,925		
Lake	50,914	560,054	1,320	22,440		
Lawrence	3,585	70,315	100	2,000		
Lincoln	44,417	555,089	167	3,340	500	10,000
Lyman	4,000	60,000	300	6,000	200	5,000
McCook	48,178	722,670	508	11,000	400	10,000
McPherson	83,195	665,560	1,066	12,760		
Marshall	73,140	1,097,100	13,200	264,000		
Meade	8,237	123,555				
Miner	39,951	439,461	350	7,600		
Minnehaha	28,875	404,250	600	12,000		
Moody	32,248	451,472	2,143	51,003	50	1,000
Pennington	1,300	26,000	200	5,000		
Potter	39,410	278,870	3,938	39,380		
Roberts	96,136	1,442,040	4,575	91,500		
Sanborn	32,111	481,665				
Spink	227,580	3,186,120	3,250	58,500		
Stanley	1,560	11,700				
Sully	14,440	144,400	1,500	22,250		
Turner	25,629	384,435			500	10,000
Union	34,855	453,015			1,500	30,000
Walworth	37,309	473,060	600	12,000		
Yankton	29,528	422,920			2,000	30,000
Totals	2,468,210	32,686,421	162,384	3,081,359	7,110	114,250
	162,384	3,081,359				
	7,110	114,250				
Grand Total	2,637,704	35,882,030				

	Corn		Oats		Barley	
	Acres	Bushels	Acres	Bushels	Acres	Bushels
Aurora	40,250	1,006,250	12,380	309,500	2,660	79,800
Beadle	54,000	1,620,000	28,041	701,025	16,370	491,100
Bon Homme	190,000	7,600,000	46,541	1,168,520	3,393	101,790
Brookings	47,200	1,663,750	76,450	1,911,250	72,136	1,442,720
Brown	82,500	2,475,000	34,739	1,215,865	42,850	1,275,500
Brule	54,000	1,890,000	8,199	327,960	1,450	43,500
Buffalo	2,000	60,000	300	9,000	355	10,650
Butte	5,400	108,000	3,850	154,000	2,750	112,500
Campbell	18,000	450,000	2,849	71,225	5,670	133,400
Charles Mix	121,000	4,235,000	29,700	742,500	3,415	119,425
Clark	12,500	312,500	37,985	759,700	46,759	1,402,770
Clay	106,854	4,808,450	37,965	796,700	2,167	66,680
Codington	3,300	99,000	45,300	906,000	56,442	1,692,660
Custer	1,200	36,000	3,021	102,906	873	26,193
Davison	47,500	1,425,000	16,500	412,500	4,411	110,275
Day	4,500	135,000	31,956	799,100	37,675	941,875
Deuel	13,250	281,500	47,437	1,185,900	38,160	954,000
Douglas	55,000	1,650,000	18,750	281,250	2,740	54,800
Edmunds	5,000	150,000	5,496	29,840	11,410	342,300
Fall River	6,883	172,078	300	15,000	340	10,220
Faulk	12,000	360,000	6,226	186,780	6,475	161,875
Grant	18,375	551,250	33,120	903,000	25,520	765,600
Gregory	51,250	2,050,000	19,636	589,080	650	39,000
Hamlin	14,500	478,500	37,728	943,800	45,478	1,364,320
Hand	44,500	891,000	10,500	294,000	8,192	245,760
Hanson	56,135	1,684,050	20,436	510,900	8,745	262,350
Hughes	28,145	845,350	700	17,500	350	9,250
Hutchinson	107,000	3,210,000	48,650	1,216,250	7,895	236,850
Hyde	6,000	180,000	1,500	60,000	750	22,500
Jerauld	24,130	723,900	9,270	278,100	3,886	136,000
Kingsbury	35,290	1,058,700	38,640	772,800	52,365	1,309,125
Lake	46,150	1,384,500	35,580	711,600	62,140	1,242,800
Lawrence	2,500	62,500	5,091	162,812	200	7,000
Lincoln	116,785	4,671,400	71,340	1,783,500	32,160	974,800
Lyman	11,000	220,000	2,000	60,000	340	8,500
McCook	90,000	2,700,000	41,898	1,256,940	33,450	669,000
McPherson	3,500	70,000	5,546	166,380	9,320	186,400
Marshall	9,000	270,000	21,264	637,920	21,370	534,250
Meade	10,000	300,000	6,190	154,750	1,010	30,300
Miner	31,282	938,460	19,575	391,500	24,240	606,000
Minnehaha	123,585	4,325,475	105,460	2,636,500	63,315	1,900,500
Moody	60,650	1,819,500	91,580	1,831,600	65,280	1,305,600
Pennington	2,370	71,100	6,940	277,600	1,000	35,000
Potter	8,845	17,690	2,633	52,660	2,730	54,600
Roberts	15,052	451,160	41,150	1,234,500	30,333	909,990
Sanborn	44,250	1,170,000	21,018	210,180	7,219	144,380
Spink	38,077	1,142,310	22,350	670,500	37,440	1,123,200
Stanley	25,120	620,000	4,560	114,000	400	12,000
Sully	12,685	253,700	3,351	83,775	387	11,060
Turner	118,954	4,163,370	77,440	1,548,800	13,275	265,500
Union	103,842	4,153,680	34,585	864,625	3,350	100,500
Walworth	12,455	331,650	4,185	104,640	9,430	282,900
Yankton	105,940	4,237,600	55,140	1,654,360	1,016	25,400
Total, 1908	2,259,704	75,584,373	1,393,042	34,281,093	931,737	24,414,468
Total, 1907					874,964	20,438,820
Increase					56,773	3,975,648

Hay. In comparing South Dakota's hay crop with the crops of other states it must be borne in mind the government does not take account of wild hay at all, but reports only upon the tame hay made. Wild hay is our chief dependence and grows so luxuriantly that upon every farm a portion is reserved for meadow and kept as carefully as are tame meadows. Most states reporting agricultural productions take into account the value of pastures, which runs into very large figures. In South Dakota we do not take account of the value of pastures but report only upon the quantity of hay actually harvested.

Live Stock. A vast increase in live stock marketed is shown this year, cattle alone showing 428,924,448 pounds as against 274,737,715 in 1907. I do not quite understand why so marked an increase should be apparent, but it is suggested that the big range herds have been shipped out before the advance of the homesteaders. Undoubtedly likewise there has been a very considerable increase of fat stock from the farms. Always the farms of the eastern portion of the state have been the great stock producers, though the picturesqueness of the range business brought that section into the greatest prominence. Hogs marketed increased from 196,047,995 pounds in 1907 to 236,633,000 in 1908.

WOOL. The National Association of Wool Manufacturers estimates the wool crop of South Dakota at 3,900,000 pounds, worth \$722,000. This is a larger amount than this department has hitherto estimated, but as the wool manufacturers place their estimate for this year upon the actual purchases of former years it must be accepted as approximately correct.

Dairy Products. There has been no material change in dairy and poultry products except that prices have been a bit firmer and the range a trifle higher. Creamery production is diminishing and farm production correspondingly increasing. Poultry products show a small increase in volume over last year.

Minerals. The miners have had a satisfactory year and the output is perhaps the largest in the state's history. The report of the Mine Inspector is not yet available, but from unofficial sources it appears the gold product is \$8,800,000.

Prices. All prices have been satisfactory to the farmers, for the average of the year since the flurry following the eastern panic passed. Averaging the price of commodities on the first of each month I put wheat at 90 cent, corn at 47, oats 42, barley 47, flax \$1.05, beef \$4.50, hogs \$5.70, butter 22 cents.

General Summary. The entire productions of the year I summarize as follows:

Wheat, 35,882,000 bushels	\$32,292,800
Corn, 75,584,000 bushels	35,624,480
Oats, 34,281,000 bushels	14,398,020
Barley, 24,414,000 bushels	11,474,580
Flax, 5,000,000 bushels	5,250,000
Spelz, 3,750,000 bushels	1,400,000
Hay, 3,260,000 tons	16,300,000
Potatoes, vegetables and fruits	5,000,000
Dairy products	8,200,000
Poultry and eggs	5,150,000
Honey	25,000
Livestock	39,977,550
Wool and hides	822,000

Total for Year\$175,934,430

Comparative Productions. The progressive increase of production so long maintained in South Dakota from year to year is again shown; indeed the growth of new wealth this year is greater than ever before. For the past five years the figures have been:

Year	Value of Products	Increase
1904.....	\$116,792,000	
1905.....	126,792,000	\$ 9,994,000
1906.....	145,812,000	19,126,000
1907.....	160,232,000	14,319,000
1908.....	185,434,000	25,202,000

Actual Marketings. The following table shows the total amounts of the sort of products enumerated, shipped to markets outside the state by the railroads operating herein:

Wheat, 27,880,000 bushels	\$25,092,000
Corn, 5,030,000 bushels	2,364,000
Barley, 12,402,00 bushels	5,829,000
Oats, 12,431,000 bushels	5,221,000
Rye, 225,000 bushels	101,000
Flax, 3,680,000 bushels	3,864,000
Cattle, 428,924,000 pounds	19,301,000
Hogs, 236,633,000 pounds	15,198,000
Sheep, 25,970,000 pounds	1,498,000
Horses, 23,000,000 pounds	1,265,000
Dairy products, poultry, eggs, hides, wool, hay, potatoes, vegetables, fruits and minor products.....	21,350,000
Total	\$98,083,000

Education. The public schools and all of the institutions of higher education have been prosperous and enjoyed increased patronage. Dr. Thomas Nicholson, who during five years won great renown as president of the Dakota Wesleyan University, resigned to become Missionary Secretary of the Methodist Episcopal Church and his place was filled by Dr. Samuel F. Kerfoot of Minnesota. Dr. Frazee resigned as president of the Springfield Normal, a position he has filled with credit since the foundation of the school in 1898, and was succeeded by Prof. G. G. Wenzlaff.

Public Morals. There has been no notable distraction of public morality, and generally conditions have been exceptionally good. Many religious revivals have been conducted during the year with satisfactory results.

Public Health. The people have been healthy. No epidemics have appeared. During the last year there were 11,097 births and 4,129 deaths. Several men prominent in the affairs of the state died during the year; among these were Col. C. W. Ainsworth, formerly superintendent of the Reform school; Dr. C. M. Young, dean of the college of arts and sciences of the state university; Eli Wixson, the pioneer resident of Elk Point; Newton Edmunds, second governor of Dakota territory; Dr. H. C. Burch, a prominent physician of Redfield; Joseph M. Green of Chamberlain, prominent in republican politics, and Howard G. Fuller, associate justice of the Supreme Court. The vacancy occasioned by the death of Judge Fuller was filled on November 16, by Governor Crawford, by the appointment of Judge Charles E. Whiting of the Ninth circuit.

Finally. Providence has vouchsafed to South Dakota a long term of great prosperity. Twelve successive seasons have been rich with great abundance. Thankful to God for his long continued kindness the people of South Dakota approach the new year filled with courage and hopefulness.

DOANE ROBINSON, Secretary.

Pierre, November 20, 1908.

NINTH ANNUAL REVIEW OF THE PROGRESS OF SOUTH DAKOTA FOR 1909.

The 11th session of the state legislature and the opening of the Cheyenne River and Standing Rock Indian reservations have been the notable events in South Dakota for the year now closing.

The legislature convened on January 5th and at the same time Governor Robert S. Vessey, Secretary of State Samuel C. Polley, Treasurer George G. Johnson and Railroad Commissioner Fred C. Robinson, were inducted into their respective offices, the other state officers having been re-elected. The legislature elected Coe I. Crawford, United States senator, by a vote of 94 to 9 for Andrew E. Lee, the democratic candidate.

The more important laws of the session were for immediate election returns.

A two cent passenger rate law.

Placing the fixing of maximum express rates in hands of railroad commissioners.

The depository of public funds.

Submitting county option of sale of liquors.

An anti-treating law.

Prohibiting drinking on trains.

Providing for tuberculosis hospital at Custer.

Allowing families of prisoners in the penitentiary a share of their earnings.

A general game law, and providing state game warden.

Creating juvenile courts in each county.

Increasing supreme court from three to five members. Creating Tenth circuit.

The following appropriations were made:

Building at Madison Normal	\$ 25,000.00
Cottage and barn at Brookings	2,500.00
Chemical laboratory at Brookings	10,000.00
Dairy barn at Brookings	10,000.00
Buildings at state fair grounds	18,000.00
State flag	250.00
Additions to building at Aberdeen	15,000.00
Buildings at Yankton asylum	70,000.00
Dormitory at Blind Asylum	15,000.00
Salary judge Tenth circuit	959.00
Furniture at Spearfish normal	3,700.00
Deficiency United States Land office fees	1,100.00
Legislative expenses	71,022.60
State fair maintenance	20,400.00
Custer sanitarium	15,000.00
Completion capitol building	300,000.00

Repairs at School of Mines	8,020.00
Expenses of presidential electors.....	162.90
Manufacture of hog cholera serum.....	5,000.00
Soldiers' Home deficiency	15,417.38
Buildings on experimental farms	3,000.00
Determining value of railroads.....	25,000.00
Deficiency railroad commissioners	27.08
Deficiency care of state house	1,000.00
General printing bill	52,450.00
Dormitory at Redfield asylum	35,000.00
Printing election advertisements.....	3,706.09
Live stock sanitary board	20,000.00
Printing deficiency	16,500.00
Heating plant at university	30,000.00
Railroad litigation	4,000.00
Street grading tax, capitol grounds.....	952.46
Organization new counties	2,581.00
Furniture for new capitol	2,581.00
Deficiency commissioners Soldiers' Home.....	92.64
Fighting two cent rate cases.....	6,000.00
Deficiency board of health	123.75
Salaries new judges and stenographers.....	2,450.00
Salaries new members board of charities.....	800.00
Standing appropriations	73,000.00
General appropriations bill	1,900,514.00
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Total for two years	\$2,833,494.30
Total 1907 session	2,432,407.21
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Increase	\$ 401,087.09

New Judges. Governor Vessey appointed Hon. E. G. Smith of Yankton and Hon. James H. McCoy of Aberdeen to the newly created positions on the supreme bench and Hon. Joseph H. Bottum of Faulkton judge of the new Tenth circuit.

Hon. Robert B. Tripp was appointed to fill the vacancy in the First circuit bench caused by the promotion of Judge Smith and Hon. Frank McNulty of Sisseton to succeed Judge McCoy in the Fifth circuit.

Congressional Action. There was not the usual amount of federal legislation special to South Dakota. The following laws were enacted:

Granting the Chamberlain Indian school to the Catholic church for college purposes.

Creating the Belle Fourche land district and establishing the land office at Belle Fourche.

Issuing patents in fee to the Catholic Indian missions to mission grounds and cemeteries.

Extending time for completion of bridges across the Missouri at Yankton.

The following appropriations were made to be used within South Dakota:

For maintenance and education of Indians.....	\$1,095,175.00
Federal building at Lead	20,000.00
At Watertown	25,000.00
At Mitchell	35,000.00
At Sioux Falls	80,000.00
Deadwood Assay Office	3,000.00
Wind Cave Park	2,500.00
Surveyor General's office	8,300.00
Battle Mountain Sanitarium	180,000.00
Total	\$1,448,978.00

In addition to these of course the state participates in the general appropriations for the maintenance of the postal service, the department of Justice, the land department, the Agricultural department and for the improvement of rivers, so that first and last it is probable two and one-half million dollars are annually disbursed in the state by the federal government.

Opening the Cheyenne and Standing Rock Lands. In August the President issued his proclamation formally opening the ceded portions of the Cheyenne River and Standing Rock reservations to settlement, providing that applicants for the said lands should register at Aberdeen, Pierre, LeBeau, Mobridge, Lemmon or Bismark, between October 4th and October 23rd. Eighty thousand one hundred forty-two persons so registered, for the about ten thousand homesteads available upon said ceded lands.

New Railroads. Scarcely any new rails have been laid during the year, but the Milwaukee railroad has graded two lines from the Missouri river bridge at Pontis; one running almost directly west to the ceded lands in the Cheyenne River reservation, and the other south across the Moreau to the valley of Virgin creek and thence west to the ceded lands. The Northwestern road has completed surveys from Blunt to Gettysburg and is now engaged in grading the lines. Much surveying has been done in various parts of the state, but these are the only lines actually under construction.

New Counties. At the election of 1908 the people of Butte county voted to divide that county into three parts, the southern portion to remain as Butte, the northwest as Harding and the northeast as Perkins. These counties were organized in January by Governor Vessey, the county seat of Harding being located at a new village in the central part of the county named Bison and the capitol of Perkins being located at Buffalo, also a new, centrally located town.

The legislature created Corson county out of a portion of the Standing Rock reservation in South Dakota and it was duly organized with the county seat at McIntosh. Tripp county was also organized with the county seat at Colombe.

The Population. There has been but a moderate growth of population during the year, and the greater portion of this upon the new lands in the western portion of the state, though some of the cities have made good gains. The school census taken as of June 1st, last shows 160,526 children between 6 and 21 years of age, a gain of 7,680 in the year. Using the same ratio to general population which existed between the school census and the total census in 1905 the

present population would be 526,525. The school census, however, does not effect the new population which has come into Tripp county this year, as well as in the other newly organized counties, and it is likely there was on June 1st, last 540,000 people in the state.

The Assessment. The assessment of the present year shows a substantial increase in wealth, much exceeding the indicated proportionate increase in population. The totals of all property by counties are given in the annexed table:

Aurora	\$ 1,755,474
Beadle	9,631,593
Bon Homme	6,889,095
Brookings	8,204,472
Brown	16,272,149
Brule	4,689,894
Buffalo	904,931
Butte	1,853,229
Campbell	3,007,807
Charles Mix	7,928,606
Clark	7,189,114
Clay	5,096,184
Codington	7,706,122
Corson	1,208,250
Custer	1,655,893
Davison	5,936,895
Day	7,462,952
Deuel	4,979,625
Douglas	3,745,486
Edmunds	5,441,065
Fall River	2,557,574
Faulk	5,505,324
Grant	5,651,972
Gregory	4,902,450
Hand	6,906,517
Hamlin	4,795,377
Hanson	4,223,422
Harding	823,251
Hughes	4,590,640
Hutchinson	8,524,735
Hyde	3,080,261
Jerauld	3,586,593
Kingsbury	7,529,240
Lake	6,631,905
Lawrence	9,039,077
Lincoln	7,537,115
Lyman	7,049,615
McCook	6,093,858
McPherson	4,820,145
Marshall	4,445,385
Meade	3,095,921
Miner	4,548,130
Minnehaha	15,186,390
Moody	5,718,308
Pennington	5,869,460
Perkins	1,999,010
Potter	3,236,508
Roberts	6,441,097
Sanborn	4,219,499
Spink	11,786,564
Stanley	7,079,080
Sully	3,140,144
Tripp	410,431
Turner	7,980,125
Union	5,531,151
Walworth	3,662,712
Yankton	7,144,983
Custer, (unorganized)	12,060
Fall River (unorganized)	16,015
Lyman (unorganized)	554,440
Stanley (unorganized)	508,150
Walworth, (unorganized)	106,125
Total, 1909	\$321,070,665
Total, 1908	283,696,268
Increase	\$ 37,374,397

State Finances. On November 12th, the condition of the state treasury was as follows:

Debt	
General fund revenue warrants outstanding.....	\$ 500,000.00
Borrowed from Twine plant fund.....	135,000.00
Registered warrants	346,544.88
Registered Capitol building warrants.....	101,927.30
Total state debt	\$1,083,472.18
Less cash in general fund.....	2,129.28
Net state debt	\$1,081,342.90

To meet this obligation the state has a prospect of selling lands to meet the warrants upon the capitol fund. The assessment is forty million higher than last year and the tax levy is four mills as against three mills last year. Prudent management and a continuation of the four mill levy would sink the debt in three years.

General Finances. The people are in a very prosperous condition generally. Private credit was never at a higher state. The growth of reserve wealth is finely illustrated by the volume of deposits in the banks. The statement herewith is as of September 1st, last:

	Individual Deposits	Bank Deposits	Total
National banks	\$27,407,218.29	\$4,054,781.31	\$31,461,997.60
Other banks	45,735,681.51	1,632,423.78	47,368,103.29
Total	73,142,899.80	5,687,205.09	78,830,100.99
Totals of 1908.....	61,567,954.76	7,373,045.37	68,832,999.41
Increase	\$11,574,945.76		\$ 9,997,101.48
Decrease		\$1,685,840.28	
Total bank deposits, 1909.....			\$78,830,100.99
Total bank deposits, 1899.....			12,649,800.54
Gain in ten years			\$66,180,300.45

The bank deposits at about September 1st, in each year since 1898 have been as follows:

1898	\$10,104,185.43
1899	12,649,800.54
1900	14,732,983.71
1901	19,194,491.30
1902	29,422,224.96
1903	28,607,319.62
1904	30,611,115.32
1905	34,759,699.68
1906	45,046,204.73
1907	57,769,881.02
1908	68,832,999.41
1909	78,830,100.99

Comparisons With Other States. The percapita bank deposits in South Dakota and the adjacent states on Sept. 1, 1909, were as follows:

Iowa	\$170.00
Minnesota	124.00
North Dakota	109.00
South Dakota	158.00

The percentage of increase of deposits during the past ten years in South Dakota and adjacent states is:

Iowa	304 per cent
Minnesota	351 per cent
North Dakota	545 per cent
South Dakota	711 per cent

Public Buildings. Good progress has been made upon the new capitol, the exterior of which has been completed and the interior finish well advanced. Work has been commenced upon the grounds for the completion of which a lagoon at the eastern end is contemplated.

The state has also under construction the Women's Infirmary and a cottage for disturbed men patients at Yankton and an additional building to accommodate sixty patients at Redfield.

At Aberdeen a Mechanics arts building; at Brookings a chemical laboratory and a dairy barn; at Vermillion a central heating plant; at Madison a Science hall; at Rapid City a central heating plant; at Hot Springs several important additions to existing buildings; and at Huron several additional buildings for the state fair.

The Federal buildings at Mitchell and Watertown are nearing completion, and that at Lead is under way.

Drainage propositions are being prosecuted in Minnehaha, Lincoln, Union, Clay, Yankton, Sanborn, Hamlin and Kingsbury counties under the state law.

The Belle Fourche Irrigation project is 85 per cent completed. There has been a very large amount of private building both in town and country, but perhaps no one so notable above the mass as to merit special mention.

The Weather. First and last the weather of 1909 was well adapted to successful agriculture, although there were several streaks of hail, more or less destructive, and a drought in the central portion of the state. A cloud burst in the northern hills in June damaged the railroads a good deal and put the Burlington branch into Spearfish out of commission for several weeks. A cloud burst near Underwood, in Pennington county, also in June, flooded that town.

The government has suspended the publication of the Climate and Crop Bulletin and the precipitation records for all of the points of voluntary observation are not longer readily available. For the four bureau points the seasonal rainfall was as follows:

	April	May	June	July	Aug.	Total
Huron	2.65	3.84	0.95	2.74	3.06	13.24
Pierre	1.98	2.75	1.39	2.20	2.35	10.67
Rapid City	2.30	5.13	7.54	2.35	2.47	19.79
Yankton	2.80	4.93	5.50	3.25	3.59	20.07

The crops. On the whole the crops of 1909 have been up to the average and in some directions have been above average. More specifically, wheat and corn have been very good indeed, while oats and barley are below the average. Hay is a splendid crop, fruit and vegetables very good and potatoes ranging from good to approximate failure according to locality. The tables give the acreage and yields of the principal cereals. I have not attempted to do more than roughly

approximate the flax crop. The acreage of flax is much greater than in preceding years, while the yield seems to be less than for several years. Alfalfa for seed is becoming a staple. The chief supply of alfalfa seed for the last year was found by seedmen in western South Dakota and many thousands of bushels were shipped at highly remunerative prices. The seed crop for this year is good but not up to the level with 1908.

	Corn		Wheat—All Sorts	
	Acres	Bushels	Acres	Bushels
Aurora	42,000	1,304,000	45,760	754,880
Beadle	59,000	1,770,000	52,630	815,765
Bon Homme	195,000	7,850,000	44,320	465,360
Brookings	50,000	1,700,000	60,800	1,002,400
Brown	85,000	2,700,000	230,000	3,595,000
Brule	57,000	1,710,000	23,000	241,500
Buffalo	2,500	75,000	2,500	26,250
Butte	6,000	240,000	5,000	67,500
Campbell	20,000	500,000	74,000	999,000
Charles Mix	140,000	5,600,000	59,000	904,000
Clark	14,000	420,000	69,000	1,134,500
Clay	120,000	6,000,000	16,000	168,000
Codington	3,500	105,000	65,500	1,080,750
Custer	1,500	45,000	750	15,375
Davison	50,000	1,500,000	34,000	527,000
Day	5,000	125,000	176,000	2,904,500
Deuel	15,000	375,000	38,000	589,000
Douglas	57,000	2,280,000	46,000	713,000
Edmunds	6,500	195,000	84,000	1,218,000
Fall River	7,000	210,000	350	7,175
Faulk	15,000	450,000	85,000	1,420,500
Grant	20,000	660,000	71,000	1,171,500
Gregory	55,000	2,200,000	29,000	454,500
Hamlin	17,500	555,000	65,000	1,072,500
Hand	45,000	900,000	75,000	1,012,500
Hanson	60,000	2,100,000	44,000	682,000
Hughes	7,000	70,000	3,500	36,750
Hutchinson	110,000	3,850,000	75,000	787,500
Hyde	7,000	175,000	7,500	108,750
Jerauld	28,000	750,000	29,000	352,500
Kingsbury	40,000	1,400,000	88,000	1,364,000
Lake	50,000	1,750,000	52,000	806,000
Lawrence	3,000	120,000	4,500	83,250
Lincoln	120,000	4,600,000	35,000	397,500
Lyman	15,000	450,000	7,500	116,250
McCook	95,000	3,355,000	50,000	775,000
McPherson	4,500	125,000	85,000	1,062,500
Marshall	12,000	360,000	87,000	1,261,500
Meade	10,000	300,000	10,000	125,000
Miner	35,000	1,050,000	40,000	580,000
Minnehaha	130,000	4,550,000	27,000	418,500
Moody	70,000	2,450,000	35,000	507,500
Pennington	5,000	150,000	10,000	205,000
Potter	10,000	300,000	47,000	587,500
Roberts	17,000	415,000	100,000	1,650,000
Sanborn	45,000	1,575,000	35,000	572,500
Spink	40,000	1,400,000	235,000	3,877,000
Stanley	30,000	750,000	7,500	116,250
Sully	13,000	325,000	20,000	230,000
Turner	120,000	5,400,000	25,000	437,500
Union	105,000	4,700,000	35,000	402,500
Walworth	15,000	450,000	40,000	660,000
Yankton	110,000	4,400,000	25,000	312,500
Totals	2,395,000	86,339,000	2,711,000	40,875,705

	Oats		Barley	
	Acres	Bushels	Acres	Bushels
Aurora	12,500	377,000	3,000	90,000
Beadle	30,000	900,000	17,500	525,000
BonHomme	47,500	1,187,500	4,000	120,000
Brookings	80,000	2,800,000	70,000	1,400,000
Brown	35,000	1,225,000	45,000	900,000
Brule	10,000	350,000	2,000	60,000
Buffalo	500	10,000	600	12,000
Butte	5,000	200,000	5,000	125,000
Campbell	5,500	125,000	7,000	175,000
Charles Mix	30,000	1,050,000	4,000	112,000
Clark	40,000	1,400,000	47,000	940,000
Clay	35,000	1,050,000	2,500	65,000
Codington	45,000	1,350,000	58,000	1,160,000
Custer	3,500	112,000	1,000	25,000
Davison	17,000	510,000	4,500	90,000
Day	35,000	1,050,000	40,000	800,000
Deuel	45,000	1,350,000	37,500	750,000
Douglas	20,000	700,000	3,000	75,000
Edmunds	6,000	180,000	12,500	312,500
Fall River	500	20,000	500	15,000
Faulk	7,000	245,000	7,500	225,000
Grant	30,000	1,050,000	25,000	500,000
Gregory	20,000	600,000	1,000	25,000
Hamlin	35,000	1,400,000	45,000	810,000
Hand	12,000	240,000	10,000	200,000
Hanson	25,000	750,000	8,000	200,000
Hughes	1,000	20,000	500	50,000
Hutchinson	50,000	1,250,000	8,000	176,000
Hyde	2,000	60,000	1,000	25,000
Jerauld	9,000	250,000	4,500	90,000
Kingsbury	40,000	1,400,000	55,000	1,430,000
Lake	37,000	1,110,000	60,000	1,260,000
Lawrence	2,500	62,000	300	8,000
Lincoln	70,000	1,850,000	30,000	540,000
Lyman	5,000	125,000	500	10,000
McCook	42,000	1,260,000	30,000	450,000
McPherson	7,000	210,000	10,000	250,000
Marshall	23,000	690,000	22,500	495,000
Meade	10,000	250,000	1,500	31,000
Miner	20,000	540,000	25,000	550,000
Minnehaha	115,000	3,450,000	60,000	900,000
Moody	90,000	2,700,000	65,000	975,000
Pennington	10,000	300,000	1,500	45,000
Potter	3,500	105,000	3,000	60,000
Roberts	43,000	1,290,000	30,000	600,000
Sanborn	25,000	750,000	8,000	215,000
Spink	25,000	1,000,000	40,000	1,000,000
Stanley	7,500	200,000	1,000	20,000
Sully	4,000	100,000	600	12,000
Turner	75,000	2,250,000	13,000	260,000
Union	33,000	990,000	3,500	105,000
Walworth	5,000	160,000	10,000	270,000
Yankton	50,000	1,500,000	1,000	25,000
Total	1,911,000	44,341,000	946,000	19,564,000

Live Stock. The marketings of live stock are most satisfactory. The increase in the volume of cattle shipped to market is noticeable; and indicates how little the state is effected by the breaking up of the big herds of the ranges. The increase of this year over 1908 amounts to 20 per cent. On the other hand there has been a decrease in the volume of hogs marketed which is not easily explainable.

Wool. The estimates for wool are those of the National Association of Wool Manufacturers.

Dairy Products. There is not much increase in the output of dairy products, but the high price results in increased values in the aggregate. It is astonishing that in this agricultural state there is a real dearth of dairy products in many sections. Milk sells for seven to ten cents per quart and in many places cannot be secured at all. It is an anomolous situation. The fact is that in prosperous times, when general agricultural products bring good returns, farmers do not care to confine themselves to the drudgery of dairying.

Minerals. The mineral output is a good deal increased this year. The report of the mine inspector is not at this writing available. The estimate includes minerals, cement and stone.

General Summary. The total products of the soil for the year are summarized as follows:

Wheat, 40,875,000 bushels	\$ 34,314,610.00
Corn, 86,339,000 bushels	38,852,550.00
Oats, 44,341,000 bushels	13,302,300.00
Barley, 19,564,000 bushels	9,195,000.00
Speltz, 3,350,000 bushels	1,065,000.00
Flaxseed, 5,750,000 bushels	8,337,000.00
Rye, 600,000 bushels	330,000.00
Potatoes, vegetables and fruit	5,000,000.00
Hay, 3,350,000 tons	17,587,000.00
Dairy products	8,500,000.00
Poultry and eggs	5,300,000.00
Honey	25,000.00
Livestock	49,065,000.00
Wool and hides	900,000.00
Minerals and stone	10,000,000.00
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Total productions of the earth	\$202,362,000.00
Total productions of 1908	185,434,000.00
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Increase	\$ 16,928,000.00
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Per capita to 530,000 population 1909, \$381.80.	

Our contention is that South Dakota produces more new wealth from her soil, per capita of her population, annually, than does any other state, that she has done so for the last ten harvests.

Comparisons With Other States. The total per capita value of the cereal crops and of live stock in the great agricultural states for 1908, calculated from the figures published as final estimates by the Agricultural Department at Washington, is as follows:

Iowa	\$263.00
Kansas	242.40
Minnesota	129.10
Nebraska	371.90
North Dakota	379.20
South Dakota	410.30

Marketings for 1909. After supplying our home demands the market for all of our products is outside of our state. The railroads annually report the volume of our products hauled to these outside markets. Our marketings for the crop of 1908 were:

Wheat, 36,545,000 bushels	\$30,332,000
Corn, 11,551,000 bushels	5,785,000
Oats, 11,232,000 bushels	3,594,000
Barley, 20,246,000 bushels	9,110,000
Rye, 241,000 bushels	137,000
Flaxseed, 4951,000 bushels	6,088,000
Beef, 520,936,000 pounds	26,046,000
Hogs, 199,957,000 pounds	13,996,000
Sheep, 27, 277,000 pounds	1,638,000
Horses, 20,835,000 pounds	2,083,000
Dairy products, poultry, eggs, hides, wool, potatoes, hay fruits and minor products	25,000,000

Total marketings outside state, 1909.....\$123,706,000

Total for 1908

Increase\$ 25,623,000

Morals. General morality has been disturbed during the year by several atrocious murders all committed by tramps attracted to this region by the general prosperity. The murderers in each case have been promptly apprehended and in one case after due trial hanged, another committed to prison for life and the third committed suicide. It is a fine commentary upon the self control of South Dakotans that no violent demonstrations against the vile murderers were made, but the public quietly and confidently awaited the sure justice of the law to be meted out.

Health. The vital statistics kept pursuant to law by this department have secured from the national authorities recognition of the fact that South Dakota is the healthiest state in the Union and the healthiest community on the globe. Not only is the death rate lower, but there are also fewer cases of cancer, tuberculosis and fewer suicides here than elsewhere.

Necrology. During the year several South Dakotans of more or less note have died, among them the following:

In January Artemas Gale, a pioneer resident of Sioux Falls.

In February, Col. B. D. Dudley, of Canistota, commandant of the Soldiers' Home at Hot Springs; Alva M. English, of Yankton, many times mayor of that city and a member of the Dakota cavalry of 1862-5 and the historian thereof: W. J. Cheeseman of Belle Fourche, a former legislator; Henry C. Ash, of Sturgis, a pioneer of Yankton and of the Black Hills.

In March, Dr. Lewis McLouth, former president of the State Agricultural college.

In May, Israel Green of Mitchell, who was famous as the captor of John Browne at Harper's Ferry; E. W. Taylor of Aberdeen, a prominent member of the legislature.

In June, Albert F. Munson of Elkpoint, auditor of Union county.

In August, William R. Colvin, editor of the Vermillion Plaintalk; Dr. Thomas M. Shanafelt, formerly general missionary of the Baptist Church in South Dakota and second president of the State Historical Society.

In October, William Hobart Hare, for thirty-five years missionary bishop of South Dakota.

A Notable Gathering. The Missouri River Navigation congress met at Yankton on July 6. This was a largely attended meeting almost national in its scope.

Monuments and Institutions. On June 16th, a monument provided by this department was dedicated at Mobridge, upon the site where the Shetak captives were rescued by the Fool Soldier Band of Sioux Indians in 1862.

On August 25th a monument commemorative of the first permanent school house in Dakota territory was dedicated at Vermillion.

The Independent Order of Odd Fellows have located a home for aged and dependent Odd Fellows at Dell Rapids.

Conclusion. The people of South Dakota come to the close of the year 1909 feeling renewed obligations to that overshadowing Providence which has for so long a period visited unbroken prosperity and general happiness upon them, and reliant upon that Providence for a continuation of these blessings.

DOANE ROBINSON, Secretary.

Pierre, December 1, 1909.

PRESIDENT'S BIENNIAL ADDRESS.

PROF. ROBERT F. KERR.

INTRODUCTORY.

Fifty years ago last September a mass convention of the few settlers met in Sioux Falls City and issued a call for an election to be held on the fourth day of October for the purpose of electing 'members to compose a Territorial Legislature.' At that time there were probably not more male citizens of voting age in Sioux county than the aggregate membership of our present state senate. Being cut off from Minnesota they were living with out any established form of government. They felt the need of some form of organization. With the forty odd souls who composed the population, it required considerable ingenuity to arrange matters, and the elections were conducted in a somewhat peculiar manner. A local historian learned from one of the members, "that on the morning of election, the whole population organized into parties of three or four, elected each other judges and clerks of election, and then started off with their teams in various directions for a pleasure trip, and whenever a rest was taken, which occurred frequently, an election precinct was established, and the votes not only of the party but of their uncles, cousins, relatives and friends were cast, until as a result of the election the total vote rolled up into hundreds, and was properly certified to.

Soon after the election the legislature convened. The session lasted only a few days, but with due deliberation all needful bills for home government were introduced, discussed and passed. With some modifications, the laws of Minnesota were adopted, a governor was elected and the wheels of government were started. The formation of this provisional government was the only actual attempt (except one earlier partial instance) to form a government on the principles of "squatter sovereignty", pure and simple, that has ever occurred in this country. So this occasion is to a certain extent a fiftieth anniversary.

SOME UNCONSCIOUS FACTORS IN THE HISTORIC DEVELOPMENT OF
OUR COMMONWEALTH.

There is such a thing as the philosophy of history. It has to do with general causes and effects. Nations, states and communities are the products of evolution just as truly as are the species of any vital material organism. In our state history there are examples of certain phases of growth that are the results of an unconscious chain of circumstances, pure and simple. Personally we may think that we are influential in directing everything as we will and are likely to become victims of self-esteem, but back of all our planning and boasting there are unseen forces that make for good or ill, willy-nilly.

As patriotic citizens we have a right to be proud of our state and are wont to take great credit in the fact that we have had a part in its wonderful latter day development. Nevertheless, we are comparable to individuals moving about in little boats on the surface of a placid stream all the time thinking that we are going hither and thither as we please, when the fact is, that the river of destiny is carrying us collectively to the great ocean beyond. As individuals we may be, in a sense, conscious factors, but as an entire community we are more or less impelled by influences beyond our control which mightily affect the forces that come into play in the building up of a state. This is especially true of the earlier periods of our development. Before this country was seen by white man nature had prepared it for his coming. Its exploration was due to extraneous causes and there seems to have been some wise Providence directing our affairs in determining the form of government under which we should live. The character of the settlers, also, was influenced by the obstacles to be overcome in order to gain a foothold, and the hardships that had to be endured in laying the foundation of individual and collective prosperity.

It is the province of this paper to single out some of the causes and effects of certain unconscious factors in our development rather than the orderly recounting of the prominent facts that have been accomplished in the earlier and later times, presuming that all are familiar with the annals of the state. Let

us then take a hasty review of some of the most salient features of our history and consider their intricate phases, that is, some of the things that have come about without any special direction on the part of those who preceded us, or who are still living.

In the first place, why were the fertile lands of the Dakotas almost the last to be exploited and settled by the American pioneer? What we are at the present day has been accomplished within the span of the lives of our oldest citizens. We were but a short time ago on the frontier and evidences of the fact still remain with us. Reverting back a few centuries we find that this part of the Northwest was evidently the last to be appropriated by the native Indian tribes. It is probable that there were few, if any, human inhabitants in the upper Missouri valley a century or two before the discovery of America by Columbus. The reason for this is quite evident. We are able to trace their migrations quite accurately by means of the study of the artificial mounds and remains of fortresses they have left behind them. The Mound Builders, who are now supposed to be the ancestors of the later Indians, evidently crossed over into the Ohio Valley ages ago and made their progress down that river and slowly up the Mississippi and Missouri rivers, arriving in these parts in comparatively recent pre-Columbian times. Early mankind always followed the pathway of the waters. Those who arrived here in the earliest days were not nomads in the strictest sense of that term but lived in permanent villages and cultivated corn and pumpkins as a part of their means of living. These vegetables had been acclimated in their slow progress northward, a thing we had to learn about our crops later by bitter experience. These villagers were the pioneers of the aboriginal days and had their peculiar hardships.

After the French had penetrated to the head of the great lakes and had taught the lake dwellers the use of firearms and the advantages of the chase the whole character of those forest tribes changed; they became nomadic in their habits and began to overrun the plains. Coming into possession of Spanish horses from the south they soon launched forth as the original cattlemen of the west with teeming herds of buffalo, instead of cattle,

as their principle source of wealth. The agricultural tribes, (the Rees and the Mandans,) were subdued by the nomadic Sioux about the year 1782, after nearly half of a century of conflict. The former had in the meantime demonstrated that the soil was capable of cultivation and the latter foreshadowed the grazing industry of our times.

The history of white occupation follows the same general analogy. From the coasts to the great lakes, or up the rivers to the mountains, thence across the watersheds into other valleys, the pioneers slowly made their way, for upstream progress was tedious in those old days. Having gained the western slope of the Alleghanies the advance guard of western homeseekers had the advantage of down stream navigation until by and by they reached the fertile lands along the larger rivers, then to repeat the process again up the lower tributaries. The headwater reaches were nearly always the last to be settled and made the origins of new prosperous commonwealths. This, as has been said, was to a great extent due to the earlier means of transportation. It took one hundred and fifteen years of discovery and exploration to establish a permanent settlement on the eastern coast of the United States. It was over two hundred years, after the landing of Columbus at Cat Island before there was a prosperous settlement in the lower part of the great Mississippi valley and that was at or near the mouth of the mighty river. It was a little less than a century afterwards that Lewis and Clark made their historic voyage of discovery and exploration in these parts. True it is, that there had been sporadic voyageurs along some of our inland watercourses before these pathfinders gave to the world an account of the results of their explorations. It took exactly 311 years of discovery before there was a systematic effort to exploit the resources of the Dakotas and the area west of us. Both migrations followed about the same lines and for practically the same reasons. In other words, it was the unconscious factor that held this part of the country back from aboriginal as well as white settlement. Might it not have been a wise Providence that withheld these so-called semi-arid regions in reserve until in both cases the inhabitants were fitted to make a profitable use of

them? The Indians before us had solved some of the problems that we had to grapple with in later times. So much for reasons that are purely physical in their nature.

It may be a fanciful theory to connect the early predatory explorations of these former wilds with the social conditions in Europe during the 17th and 18th centuries. There are good grounds for making the claim. The luxurious extravagances of European courts which, to a certain extent, culminated at the close of the reign of Louis XIV, of France, caused a worldwide search for materials for decoration and ornament. The stock of gold was somewhat depleted and the Spandiards scoured the southwest for that means of wealth. Fine furs were in demand for the *elite* of France and other continental courts and this caused the ransacking of the wilds of America for furbearing animals. French *voyageurs* pushed out into the wildernesses and on the plains to capture beaver, mink, and otter and by 1800 had traversed most of the lakes and rivers in the interior of this continent. The British were bartering with the natives for the same purpose in the Hudson Bay territory and to the southward. Most of the watercourses were known and named before the advent of Lewis and Clark and from the information these leaders gained from obscure sources they were enabled to map parts of the country they never saw on their trip.

These pioneer goldhunters and furtraders were unconscious pawns in an early contest for empire. The Spanish from their vantage ground looked in from the south gate and the mother country claimed whatever territory her wandering countrymen had traversed. The French from the north gate by the way of the great lakes and the British from the east gate were also striving for advantage in the new world. Thus it transpired that these comparatively unknown forest-rangers were unconsciously preparing the way for future premanent occupation. The various fur companies to a certain extent established the metes and bounds of American supremacy. The French companies overran the Mississippi valley from the Alleghanies to the Rocky Mountains, contesting with the Hudson Bay company the right to control these rich hunting grounds. From the Hudson Bay as a base the

latter company pushed southward until by 1755 it had established an out post at the present site of Elkpoint in this state. It tried to make this on entering wedge into French territory and while it did not succeed in holding the Sioux valley very long it checked French aggression and held them within certain limits. The northern boundary of western United States about marks the compromise line between the trading limits of these two groups of pioneer explorers.

While these somewhat obscure representatives of national conquest were struggling for commercial advantage, another factor intervened to change the course of history. Napoleon, in a pique, in order to subvert some of England's plans and get money for the conduct of his wars, made a bold stroke of policy. He had lately taken back from Spain the territory that had been loaned to her before, for convenience, and surprised the world by selling the whole of what is known as the Louisiana Purchase to the United States in 1803. This transfer made little difference to the then inhabitants for there were but few white men within the bounds of what is now South Dakota. But it was of great moment to the prospective citizens, for it settled the question whether they were to be colonists of another nation or a sovereign people. Thus we see that another epoch in our history had its inception across the ocean. This purchase not only concerns South Dakotans at present but it concerned the future status of this great nation of ours. By securing possession of all the territory claimed by the French we afterwards came into control of all the region west of it to the Pacific coast. This naturally placed our lands in the pathway of westward expansion. Our now much abused river also became the great highway to the golden storehouses that were opened up in the distant mountain fastnesses.

As stated before, it took 311 years of exploration in order to even look in upon these fertile prairies of ours and try to learn somewhat of their capabilities. Then it was almost half a century longer before the later conquering Indians were persuaded or cajoled into giving up title to enough of their lands to afford a foothold and let us begin the work of permanent settlement and

conscious state-building. Look at the interval between the first English settlement on the Atlantic coast and that of our own on the banks of the Sioux river, 1607-1857, two hundred and fifty years from Jamestown to Sioux Falls! Mountains and swift running streams were the barriers that caused the delay in settlement more than anything else. Events, however, crowd each other after the acquisition of the Louisiana Territory in 1803, but a succession of unconscious factors were yet to assist in the making of our country what it is today.

The Mandans and the Rees, as we have seen, had long ago demonstrated the fact that corn and melons could be cultivated in these latitudes, and the few villagers yet remaining after the Sioux conquest were able to supply Lewis and Clark's men with these articles of food during their winter's sojourn on the upper Missouri. From 1811 to 1823 the Selkirk colonists made a success of raising other grains and vegetables along the Red and Pembina rivers to the north of us. They failed to make a success of farming, however, for the reason that the fur-traders discouraged agricultural settlers, then, as cattlemen have been accused of doing on our western plains within our own memory. They were also too far from the outskirts of civilization and could not well sustain themselves until the gap had been closed between them and the lower river settlements. The frontier did not expand as rapidly in those old days as it did in the latter half of the past century. Steam had not come to the help of the white man and he was still bound to the lakes and rivers as a means of transportation. If he wished to go across country his progress was tedious in the extreme. Like the Indians in their migrations, he was limited in his attempt to subdue the interior by his having to confine himself to routes of travel where it was not more than a day's journey to wood and water. But the trappers and explorers had revealed enough information about the new country to make it desirable for further exploration.

The British ambition to possess the territory west of the Mississippi was not entirely crushed by Napoleon's sale of it to the United States. There were but few settlers in the vast domain and they were mostly of alien birth. Being so far out on the

frontier the whole acquisition was practically in a defenseless condition. When the War of the 1812 was declared this American hinterland was one of the principal sources of our country's weakness from a military standpoint. In the progress of the war the enemy availed itself of this advantage and organized two flank movements, one on the right and the other on the left. Having captured Detroit and Fort Dearborn our left flank was exposed and appeared pregnable. The Indians of the Northwest were known to be restless and British emissaries were sent among them to enlist their co-operation against the American forces. A few of the Sissetons were induced to enlist in the British army but the French and Spanish traders, now loyal American citizens, took a hand in the contest and thwarted the enemy's designs. Through the influence of such a master mind as that of Manuel Lisa's, Spaniard, the upper Missouri Indians were played against the Sioux and the dire plan of the British, that of getting Indians to assist them in the war, was brought to naught.

Towards the close of the war, a fleet of British transports landed a force of troops near New Orleans for the purpose of attacking our country's right flank. Jackson's brilliant victory at Chalmette, on January 8, 1815, foiled their purpose in that direction and settled the question forever of this part of the country's being under British control. All foreign danger now being past the tardy upstream growth of the new country took the initiative. State after state was organized, piling northward, creeping upward as it were into the unorganized territory. But we were still on the frontier and the maps of those days show no semblance of our present form. The name Dakota was only applied to a confederation of savage tribes roaming over the grassy plains.

The War of 1812 practically destroyed the profitable fur-trade of the foreign companies and the control of the hunting grounds soon fell into the hands of American citizens. With the accustomed vigor of that hardy race of adventurers they soon had the trade well organized and began to reach out in all directions for gain. This was the real beginning of American exploitation of the new Northwest. The process of expansion followed about the same lines as those of other new countries, first the

hunter, then the squatter and trader, and finally the permanent settler. On account of the facility of going with the stream so much the easier in the transportation of the bulkier articles of commerce and of household effects the down stream lands were the first to be appropriated and Dakota land was still at a great disadvantage. A timely invention soon corrected all this. Steam navigation was coming into vogue in the west and the first steamboat to stem the current of the upper Missouri reached Fort Union in the summer of 1832. This convenience made upstream development possible but the benefits of this new means of transportation did not immediately accrue to the advantage of agricultural expansion. During a period of forty years, beginning with the founding of Ft. Pierre in 1817, this region lay fallow except to the trader and explorer. Within that interval, however the Missouri River became a great commercial highway to the far west. The first boats to traverse its waters for the benefit of the fur-trade; then they carried supplies for the Indians and later helped in the advancement of the continental railroad lines (which afterwards were the cause of the decadence of river trade). They reached the zenith of their commercial importance during the time of the Montana gold excitement in the later sixties. In the summer of 1867, forty steamboats passed Sioux City on up river trips. Most of them, however, were billed through this portion of the territory, for we had not yet come into our own in the development of our resources. But this latter date marks the eve of a new era in our history, as we shall see later.

During the interval between the government explorations of 1804-5 and the first attempts at settlement there were very few opportunities to learn much about the agricultural capabilities of the upland plains of the interior of the new country. The steamboats that went up the Missouri to the limits of navigation carried a class of passengers bent on other pursuits. They were not attracted by the fertility of the land along the river bottoms. They were after the furs that were to be secured in the upper reaches of the country or were going to prospect for gold. The time was not yet ripe for the farmer and the home-builder. Again, the overland route to the western goldfields in the early

fifties passed south of Dakota and we did not get the benefit of the inevitable recoil from all such movements. Kansas and Nebraska outstripped us and we were left behind in the race for recognition. We were labelled on the maps as Indian country and were all of that. The great Sioux nation in the height of its power was a formidable barrier against the encroachment of white settlers. The treaty of 1851, however, created an opening and when Minnesota was admitted into the Union as a state, in 1857, the little strip of free land that was left between its western boundary line and the Big Sioux river immediately acquired a position of some importance. This small remnant of Minnesota territory was open for settlement and exploitation and was seized upon as the basis for the erection of a new territory, and later a state, by a few far seeing individuals. Two companies were formed for the purpose of colonizing the eastern Sioux Valley and the leaders of each company were ambitious politicians who hoped to retrieve opportunities lost in their native states. Be it known that the leaders of one these companies belonged to the Democratic party and, while their purposes and aims were in the main laudable and commensurable, they to a certain extent, were to be unconscious instruments in the furthering of a certain sectional movement of great significance. They simply saw a chance to lay the foundations of a Democratic commonwealth and became the officials of their new creation, but as their party at that time was dominated by the slaveholding South these pioneers were unconsciously assisting in the scheme to extend future slave territory northward. Had it not been for the later subversion of the scheme by the Civil war we might have had a repetition of the Kansas-Nebraska troubles. The "Squatter Sovereignty" idea was carried to its extreme limit in the three years preceding the erection of the territory of Dakota, but the appointment of a Republican corps of officials by President Lincoln, in 1861, changed the whole course of our history. Few of us at the present time realize that we narrowly escaped being a slave favoring community. The tide changed without any conscious effort on the part of the later settlers, partly on account of the nativity of the immigrants, for our people generally follow

the same lines of latitude in moving westward and bring their traditions with them. As an instance of the change that had taken place, one of the bills that was introduced in the legislature of 1862, was intended to exclude all negroes, whether bond or free, from the territory. It was known as the "nigger" bill, but failed to pass.

Another thing we inherited from that unique experiment in "squatter" government, which has so persistently remained with us to the present day, is the intenseness of our political struggles. The two companies which met unexpectedly at the Falls of the Sioux in the fall of 1857 were mostly composed of politicians and town-site boomers. Their purpose was to select strategic sites for towns in the new territory, make one the capital, boom it and the others, and secure for themselves the best political berths that were to be had in the new venture. A reference to the partisan strife of those days will show that we came by ours quite naturally. Nothing induced them to forego exhibitions of intense animosity except the common danger of threatened Indian attacks. It is not the province of this paper to enter into any of the minor details of the history of that period but merely to mention some of the resultants of their attempts at state building. The rivalry of the three centers of settlement, the Sioux valley, the Missouri slope, and the Pembina Country was the cause of much trouble. In the elections that were held for the selection of provisional and later territorial officers there were many cries of fraud, and majorities were often a matter of the best figuring. Now, if it is not figuring it is a question of the best planning and personal hustling, but the intenseness has not abated in the least. It is in the same party also.

The Homestead Act of 1862 was another factor, that aided in the settlement of the newly organized territory. Previous to this act the national government had been in the habit of selling tracts of land of any size to suit the purchaser or settler. In many cases large bodies of choice land were purchased by organized companies and a system of landlordism was growing up which was not conducive to the best interests of a republican form of government. The new act put a stop to this and by its

provisions insured free homes to poor men who could never have earned them in any other way. It has converted many a European tenant into an American rural landlord, and has been of untold benefit to the new West. It was at once the cause of our rapid and substantial progress and started centers of influences for better things which will last for all time. The author of that act builded better than he knew.

Following the close of the Civil War, in 1865, there arose a great foreign demand for American breadstuffs and the attention of the country was directed to the supplying of this demand. The great prairie lands of Kansas, Nebraska and Dakota which could, without the medium of ax and grubbing hoe, be made quickly to respond to the plow and reaper, became the center of interest and a tide of emigration rolled westward. The veteran ex-soldier, who could get credit for the time he had served in the army on his homestead residence period, led the van and a great land-hunting movement was begun. It was full ten years, however, before this part of the new wheat-raising belt got its rightful share of emigrants. Some of the soldiers who had participated in the Indian campaigns in the early sixties had seen the country in an unpropitious time and had given the Dakotas an unsavory name. Then, again, after immigration had fairly started came the great "grass-hopper scourge" of the early seventies which gave us a serious check. But this was only temporary. Gold had been discovered in the Black Hills and by 1876 a real Dakota boom was on. All roads pointed to the Hills. The two most accessible routes were by the way of Sydney, Nebraska, the nearest point on the Union Pacific and Bismark on the Northern Pacific. But by the establishment of a river and overland route by the way of Missouri to Ft. Pierre and the Bad River trail into the "diggings", the southern portion of the territory commenced to come into its own. Other railroads saw their opportunity and projected new extensions both to get the benefit of the Hills trade and to accommodate the land hunger movement. We are now getting into a period of our history with which many of my hearers are familiar from personal experience and it is more difficult to point out the factors which have influenced

our growth and prosperity, more or less unconsciously. One writer ventures the assertion that: "The railway was explorer, carrier, provider, thinker, heart, soul and intellect for this population which in another generation was to be American." Those who have been so fortunate as to live through the period which had its origin in 1876-7 have been permitted to see a commonwealth in its making, never to be repeated within the present boundaries of our Union. Part of the new railway lines extending westward in advance of settlement were favored by land grants and two such grants had brought extensions into the edge of the territory by the year 1873. Here they halted for a while, probably on account of the grass-hopper plague already referred to. In 1877 the boom extended. Two years later, 1879, it had waxed so strong that the railroads thought it was time to continue their extensions and, by 1883, over 2000 miles of new railway had been opened up in the territory. The eastern part of this state was well covered, and from Pierre and Chamberlain two lines looked longingly across the Indian Reservation to the rich goldfields on the west. From these vantage points they diverted the trade from other lines and southern Dakota began to take shape. The whole of the eastern half of the territory was dotted with farms, villages, and growing towns, taking on the airs of city life. In less than a decade we had arrived at the consciousness of statehood through a chain of circumstances almost wholly beyond individual initiative.

By way of digression attention might be called to some of the projected carvings up of this last remnant of organized territory. In 1858 the eastern part of the territory belonged to Minnesota and that west of the river belonging to the territory of Nebraska. Later Nebraska was cut off and the remaining area as far west as to the crest of the Rocky Mountain was given the name of the dominating Indian confederation. The approximate area of the territory in 1861 was 350,000 square miles. In 1877 during the gold boom in the Hills that part of the territory became ambitious for statehood and a proposition was made to organize a separate territory to be known as "Eldorado",

or "Lincoln", comprising an area of about 100,000 square miles. It was to be of the same width as the present state of South Dakota and the east line was to be the 101st degree of longitude, about the present site of Midland, and the west line was to be the 100th degree, near the Big Horn mountains in Wyoming and Montana. The Black Hills would have been in the center of the new territory. The bill was introduced in Congress and had a hearing, but the representatives were too busy with reconstruction matters and the project came to naught. It would have been another mining state and might have been advantageous to our Hills brethren but it would have materially affected the development of the present state. Ten years later when the question of division and statehood came before the people, the proposition came up again, for the reason that the interests of the two sections were not identical and a separation was desirable. The wisdom of the movement was happily questioned, the state was admitted as it now is, and since we are now united by bands of steel we have become, as it were, a homogeneous people ever rejoicing in our united strength and growing prosperity. The congress that turned a deaf ear to the ambitions of a few is another instance of an unconscious factor mightily influencing the destinies of our commonwealth.

Twenty years ago this winter, Feb. 22, 1889, the Enabling Act was passed and approved and on Nov. 2, of the same year we became a state. The impelling force that brought about the division of the territory was due to several occult causes. On the surface it was supposed to be more of a political movement than otherwise. In the first place there was an inherent difference between the people of the two sections of the territory, north and south. North Dakota was in the main the land of bonanza farmers and they, of course, dominated affairs to suit themselves. Southern Dakota was settled by homesteaders who brought with them the conservative notions of their forebears. They held different ideas in regard to public and private economy, and other matters, and there was a constant friction between the two sections. In the next place lines of communication ran east and west and intercourse between the two peoples was extremely tedious and difficult.

There was little community of interest and they were anxious for a decree of divorce. Both sections were benefited by the final arrangement of the boundary lines. We can now turn our attention to some of the later phases of our history. We are so near to some of these events that we may not be able to get the proper perspective but some things are plainly evident.

Incidental with our admission came a series of capital fights which stirred the state to its very depths. It is only necessary to say that the venality of these campaigns left an ulcer in our body politic that has not yet been entirely eradicated from our system. Remembering those days of the free use of money there are yet those, a few at least, who expect to be approached before they decide how to vote.

We were but fairly started on the voyage of statehood when the panic of 1893 burst upon us with full force. Illy prepared as we were for such a calamity, combined with a succession of poor crops, we received a backset that we did not recover from for several years. The name of South Dakota, was a subject for reproach in the east. Its lands and its securities were below par.

There is a curious phase in nearly every western land hunting movement. About every twenty years the grown sons of pioneers begin to swarm like hives of bees. They want to have a farm of their own and are ready to go through the experiences of their fathers before them. 1857, 1877, 1897, such are the dates of the beginnings of the movements to this state. A straggling few came in 1897 and land prices began to stiffen. Year after year the procession increased, land went up in price and those who had held on to their possessions during all those years of depression and discouragement began to reap their reward either in the prices of their land, if they wished to sell, or in values if they wished to remain. Money began to flow this way and courage and hope once more took possession of our people. Thus it was that an unconscious series of factors combined to give us a start on the road to permanent prosperity, a condition we are likely to perpetuate.

The opening of the Rosebud lands in 1904 brought thousands of land seekers into the state and the disappointed ones in the

drawings saw as good opportunities west of the river, and hundreds of them availed themselves of the privilege of homesteading. The railroads were quick to see their new advantages and we soon had the long coveted lines to the Hills, making the basis for the perfecting of a homogeneous and prosperous commonwealth. Soon all the vacant Indian lands will be settled up and we shall enter in upon an era of self-development less and less influenced by unconscious factors beyond our borders. After half a century of the real work of settlement and development we have at last arrived at a point where the individual, as a unit, will have more to do in the shaping of the state. We have about overcome the struggle of conquering the disadvantages of pioneer conditions and with the affluence that comes to us on account of these changed conditions we shall have the leisure and the disposition to direct the internal affairs of the state in a manner which will be a credit to the times in which we live.

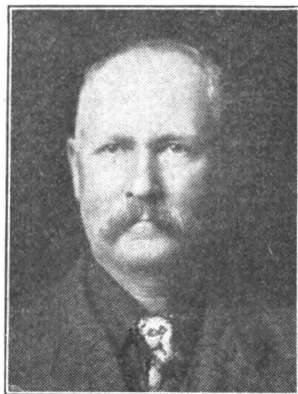
THE TERRITORIAL PIONEERS.

ADDRESS OF HON. FRANK TRUMBO, AT THE BIENNIAL MEETING,
JANUARY 23, 1909.

Mr. Chairman and Members of the Historical Society, and Ladies and Gentlemen:

At the request of your secretary, that I should relate some of the happenings incident to the early settlement of the territory of Dakota I have written the following letter. I will only speak of territorial days, as most of our citizens are familiar with the period since statehood. I came to the territory about June first, 1862, I was then eleven and a half years old. About the first inhabitants I met were the genuine Americans, the Sioux Indians. They were not civilized at that time but were reported to be friendly and greeted us in such a manner as to leave with us the impression that they were not as savage a race of people as we had expected to see and that if we treated them right that they would treat us the same as far as their ability went along that line. I allude to the Yankton Sioux, as they have always proved themselves friends of the palefaces. The first body of Indians of any number I met, that is, in the way of a friendly and social meeting, was at Vermillion some time in June, 1862, where we had taken up our residence. There was perhaps one hundred of them camped in the willows along the Vermillion river near the town. A man by the name of A. C. Vanmeter, who by the way, had a mixed blood Indian wife, and as he could speak the Sioux language and was well known to these Indians, he invited me to go with him and see the Indians. At first I hesitated but upon his assurance that they would do me no harm, I went with him and saw them in their real camp life and there I learned my first Indian word which was the name of one of the brightest, most intelligent men for an uneducated Indian that I have ever known among my acquaintance with Indians. This man was Etehota or Grayface. He certainly was a great friend of the paleface, or Wasice, as the Indians call us white folks.

These Indians were on a visit to Mr. Vanmeter and others that had lived along the banks of the Missouri river from Yankton to a point below Sioux City. During the time that the Indians had lived there before the treaty was made with them in 1858, when they were moved to Charles Mix county, on the four hundred and thirty thousand acres reserved for them, where they have since resided. The eighteenth day of August, 1862, occurred the Minnesota Indian massacre, participated in by the Santee Sioux, the most of us settlers fled for our lives from Clay county. We went down near Adell, Iowa, where the country was thickly settled,



FRANK TRUMBO

remained there until November, and as the Indians had become quiet we returned to Vermillion, Clay county; there was eleven in our family, consisting of father, mother and nine of us children, six boys and three girls. My three older brothers enlisted in the army, brother John in the First Dakota cavalry, Company A, Captain Miner's company; brother William, in the Second Dakota cavalry, Company B, Captain Tripp's company; brother George, in the Iowa Seventh. These companies were raised in the winter of '62 and spring of '63, for the purpose of protecting the frontier against the hostile Indians, and were under command of General Sully. As I was too young to be a soldier, I joined the home

guards of Clay county, which were organized for home protection, had a government gun called a Carbine, issued to me. There was really more danger behind these Carbines than there was in front of them. I had seen plenty of "kickers" in my time, but nothing to compare with those guns. I was hunting one day and had shot at several coyotes and had not succeeded in killing any and as my shoulder was so lame from having fired the gun several times during the day, and as I desired to return to my home and did not want to leave the gun in the house loaded for fear it might go off and kick the house to pieces and as I did not see any coyote to fire at and did not have the courage to fire it off in the air, I tied it to the corner of a rail fence and pulled the trigger. Oh my! you ought to have seen that fence. It took me a whole half day to rebuild it. So that is the kind of weapons of defense that we home guards had to defend the defenseless women and children with. I think, however, that those guns would have been all right for men weighing 250 or 300 pounds, but they certainly were too strong for us boys. I always felt, how fortunate we were that the Indians never attacked us, as there certainly would have been lots of persons wounded, perhaps more whites than Indians. The spring of '63, while my soldier brothers were away up the Missouri river with General Sully, our father died, and in the fall, same year, before they returned, our mother also died. I was then thirteen year old, being the oldest boy at home. I had not only to watch for Indians but had also to look out for every little job of work I could get to do to earn money enough to buy corn meal to feed the six of us that yet remained, one elder sister and five of us younger children. Water was free and it was fortunate that it was, for it took every cent of our earnings to buy the meal which we mixed with the water to the proper consistency for baking in to corn bread, and this corn bread, with the addition of black-strap molasses, constituted our regular bill of fare. I have often thought, perhaps it was well that we hadn't more good things to eat, as we might have made ourselves sick, **and** as there were no doctors; oh yes! we did have one doctor, **what** we called an almanac doctor, that is, he learned to practice medicine from studying Dr. Jayne's almanac, and he seemed to be

quite successful too, that is, I never heard of his being charged directly with having killed any of his patients. After my brothers returned from the army in '65, my oldest sister, then of age, took the younger children with her and went back to Iowa, where she was married and settled on a farm. I was then fifteen years old, and of course had to paddle my own canoe. My brother John and I engaged in farming.

We rented a farm about three miles from Vermillion, forty acres, which had been plowed the year before and as it had not rained during the summer of '65 there had no weeds nor anything else grown on this land, so it looked like fresh plowing. So I told my brother John that there was no need of plowing this ground but to furrow it out with the plow and I would drop the corn in the furrow and he could cover the seeds with the plow, so we did it in this way and planted the whole forty acres to corn. We waited all summer for our corn to come up, but it never made its appearance and upon investigation, about September first, we found the seed just as we had planted it, dry as a bone. It had not rained one drop during the summer of '66, there was no hay to be had on the Missouri bottom, where it grew in after years as high as six and seven feet, the saying that "it never rains in Dakota," I think, started that year. After that, '67, '68 and '69, we had rain and grass and what crops were planted grew fine, demonstrating that the soil was rich and would produce abundant crops of nearly all kinds of grain. But the grasshoppers came and they destroyed everything. People got discouraged and left the country and it looked as though we never would get a foothold. I left Vermillion August 1, 1869, and went up to Charles Mix county, among the Indians at Greenwood, where I secured employment from the government, commenced at the bottom of the ladder and worked up, held the positions of superintendent of government cattle herd, issue clerk and superintendent farmer. Worked in all eleven years, in the meantime I took a pre-emption on the Emanuel creek, about three miles from the city of Springfield, in Bon Homme county. I proved up on this claim in '72, and took me a homestead on the beautiful little Choteau creek, just across the line from Charles Mix, in Bon Homme county, Spring of '73.

Then I went and got married, took my wife right out among the Indians, three miles from the agency, where I was camped with the cattle herd and Indian herders. My wife and I would go occasionally and stay on our claim, just enough to hold it; no one bothered our claim. No one at that time would have accepted a deed to a quarter of land as a present unless the doner would have agreed to pay the taxes. My wife and I quit the agency in '74, and moved on to our homestead, thought we would make more money farming than we were making, as the grasshoppers had kind of let up. So we put in a big crop in '74, and we had a nice little start in young cattle, pigs and chickens, but the grasshoppers came in August and ate everything we had in the way of crops, so we had to sell our stock in order to live. The next year we put in another big crop and had just got through cultivating for the last time, July 1st, when the Indian agent came from Greenwood and employed me to go back as his boss farmer. So we were glad to go back where the crop was more sure. We had not been there more than a month, when the grasshoppers came again, and they made the cleanest sweep they ever made, even ate the sunflowers and the leaves and bark off of about fifteen hundred little cottonwood trees that she and I had planted that spring. I remember, she and I drove down to the farm the next Sunday after the 'hoppers had destroyed the crop and the looks of things around the farm was too much for my wife, she began to cry. I said to her, "What are you crying about, you ought to be thankful that they left us the house, barbed-wire fence and the mortgage." We sold the stock we had left to pay up the debts we could and worked at Greenwood for two years more, till finally the grasshoppers ceased to make their appearance, then we went back on the farm, but we had drouth, rust, hog-cholera, low prices and sickness to contend with until we finally rented the farm and engaged in other business, which we found was more remunerative for us. Finally sold the farm and invested in cheaper lands. But I will say this, that for the past six years the crops have been fine all over our state and prices have been good, so that the farmers have made money, and that the farm today is the most remunerative, most independent, and the pleasantest place

to live of all places, I think. To show you how little we people valued land here in the early day, 1874, I will tell you that I traded my pre-emption, 160 acres, three miles from Springfield, deeded land, for a span of horses and harness worth about two hundred and fifty dollars (\$250.00). I traded with the Hon. James H. Stevens. By the way, he was in the senate from Bon Homme county four years ago. When I traded my land to him for the team, I did not ask him to throw in the halter, for fear he would back out. I had a homestead and I needed a team to farm it, worse than I needed the pre-emption. That land is worth eight thousand dollars (\$8,000.00), now, and will be worth one-hundred dollars per acre in a few years. You all know that South Dakota is a great state, hardly excelled by any other state in the union. Millions of dollars worth of wealth, on every hand, prosperity, contentment and happiness. And all this has been brought about in these few years, say about fifty, and forty-seven of them, I and my wife who has been a resident also of Dakota, for forty-six years, have been doing everything we could in our humble way to help build up and make this great commonwealth what it is today. To us and all old settlers for the very important part we have played in the development of the country, is certainly deserving of great credit and if I do say it, myself, I mean every word for it, and I sincerely hope that neither of us, nor any of our children will ever see or have to go through the hardships, the suspense, the grief, from losing parents, the fear of the Indians, failure of crops, that we early settlers had to go through.

Now, in conclusion, I want to tell you of a hunt that the Yankton Indians, I in charge of them, went on, the first day of August, 1872. We went from Greenwood, Charles Mix county, crossed the Missouri river and went in to what is now Gregory, Tripp and Meyer counties. We went out with the expectation of killing buffalo, but were disappointed, as other Indians who were roaming that country in those days, got the buffalo. We only succeeded in getting one buffalo and five buffalo calves. However, we killed eight hundred deer and antelope and fifty-five elk. I must have seen on that trip at least five thousand deer and antelope. Where today, the evidence of the white man is to be seen on

every hand in the form of cultivated fields of golden grain, beautiful groves, beautiful homes, and happiness, and contentment reigns supreme, the antelope, deer elk and the buffalo are of the past and will soon be forgotten, but my! the multitudes that are being fed from the products taken from that very soil, where thirty years ago, game was the only inhabitants of that country which no one thought was good enough for anything but game. A great change, indeed, beyond the expectations or anticipations of anyone, and South Dakota is not yet half developed. She is going to keep right on, and I predict that she will be one of the greatest, if not *the* greatest state in the union in a few years. I have only tried to tell you of a few of the incidents and happenings of the early settlement of Dakota. I have skipped and omitted many interesting occurrences, for the want of time and space. When I started to write I only intended to write just a few of the really interesting incidents, but I find that my letter is now already too long and I must stop.

I thank you all for your kind attention.

THE BIG WINTER, 1880.

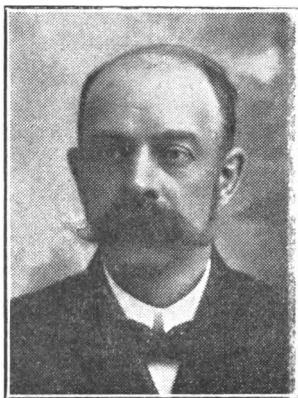
HON. C. S. AMSDEN.

Ladies and Gentlemen of the South Dakota Historical Society:

I have accepted an invitation to make a few remarks, and I realize that I may not say anything that will be new to the old settlers of our state who are present, but, coming as I do from the almost extreme northeastern section, and having been a resident of that part all of the time since early in 1878, more than thirty years, I may say some things that may be of interest to some of you who were not residents of the state in those early days, and picture to you some of the hardships endured by our early pioneers and portray some of the extreme and unheard of climatic conditions that prevailed which, coupled with the sparse settlement, made pioneering anything but pleasant.

When I came to Grant county practically the only white settlers in the county were a Frenchman named J. G. Lamreaux and a negro by the name of Williams; at least the negro always said: "Lameraux and I were the two first white settlers in the county." However, there were about a half dozen white families at the foot of Big Stone lake on the Dakota side in our county, and except these, the only settlers in all the county were a colony of Sisseton Sioux Indians consisting of about fifty-two families, who had taken advantage of the act of congress of 1875 and filed on government land as homesteads and thereby severed their tribal relations and became citizens. At that time and for two and one-half years thereafter, Grant county had no railroad or other means of public transportation and the nearest railroad to us was thirty-five miles away and to many fifty and sixty miles. However, everything went along quite smoothly, except the inconvenience of long trips to markets until we were struck by that memorable blizzard of October 15, 1880, which for severity and depth of snow has not been duplicated in the history of this section of the state at so early a period in the season. It came so suddenly following the finest kind of autumn weather that it caught a majority of the

settlers unprepared and caused the loss of much stock which was drifted before the storm and perished in lakes, ravines and swamps; also buried undug potatoes and other vegetables under mountains of snow. We had a stable on our place which had gotten out of repair during the summer from non-use in which we had our stock, consisting of horses, oxen, cows, pigs and poultry, and you ought to have seen it on the morning of the 16th. The door had blown down during the night and when we went out to look after the stock, the building was almost completely filled with snow from floor to roof and had we been delayed much longer, our



C. S. AMSDEN

stock would, too, have perished from suffocation. One poor old hen was in cold storage under the snow for nine days, but happened to get some air and came out somewhat pale but "still in the ring," and did good service for several years thereafter. I have often thought that perhaps the saying: "History repeats itself," may not be literally true, but if true, how often? Following the 26th of January that winter, the snow was so deep that all trains were blocked and we did not have a train until almost the first day of May and on the 18th day of April I drove with a sleigh nine miles and back on a snow road that was four feet above the ground and from the 3rd of February the snow had been from

three feet on the level ground to fifteen and twenty feet in the ravines. I also wish to note that some of the snow that fell on October 15, 1880, was still in view on May 15, 1881, making a winter of seven months duration. It was during this long siege that many a soul was tried and means devised to provide against starvation. Nearly every coffee mill in the country was brought into use, not to grind coffee, because there was none to grind, but to grind wheat for flour, as this was the only means of getting it, and when spring came, many a poor old mill was completely incapacitated and laid away, as a memento for the good work it had done in preserving the lives of so many for better days. If history repeats itself when do you suppose we will get another dose like this?

I am pleased to say that Grant county has outgrown these hard times and strenuous conditions and our people are prosperous and happy, but not so proud but the hand of charity is always extended to those less fortunate. We regard our home county second to none in the northwest and our people of sterling worth which characteristic is dominant in all the people of South Dakota. Although we suffered privations in our pioneer days, ought we not boost for South Dakota today and honor the state that, although young in years, ranks among the best? I thank you.

A BUFFALO HUNT.

BY THOS. L. RIGGS, D. D., LL. D.

Coming into the state as a missionary to the Indians when it was yet young as a territory, I have had full share of interesting experiences and of these I know of nothing that is better worth relating than some of the happenings on a buffalo hunt with the Indians. The buffalo had left this middle region about Pierre and, in fact, all the eastern side of the Missouri a few years before I came, but by some migratory freak they returned as far as to the head of the Moreau and the Grand rivers in the winter of 1880-81. This was the winter of deep snow not only in the river valley but over the entire region both west and east of the river. The party of Indians I went with numbered a hundred, some forty women and sixty or more men and there were also a few little children along. I was the only white man, though there was a part blood who could talk English. We had about three hundred horses, and I remember remarking on the great number of poor skinny dogs that were along; these, I was told, would be fattened up on the hunt and fit for food on their return.

I took with me a pair of ponies which were to serve as pack horses and an old buffalo horse of considerable note in those days, a fast gamy runner, which I had bought a few years before. The party was to gather on Bear creek. I joined those going from the Cheyenne river valley. There was already several inches of snow on the ground, though it was not yet Thanksgiving day, and I think it snowed every day for over a week after we left the Cheyenne valley. I know it took us some eight or ten days to reach the rendezvous, only thirty or thirty five miles distant. When the party was all together we followed up the Moreau river and it was not far from Slim Buttes where we met our first buffalo.

I shall not attempt to tell you of the entire hunt. The Indians had organized with their "soldier lodge" where all matters of vital interest were presented and decided. It is from the "soldier lodge"

that the runners are sent from time to time to learn and report where game may be found and it is in the "soldier lodge" that all authority for the hunt rests and from here the officers of the hunt are commissioned. It is also in the "soldier lodge" where there is much feasting and smoking of the pipe—this or that household being designated as provider for the next day.

I think I never have seen anything more grimly appreciated than a mishap that befell an angry Indian as we rode up a winding valley to come upon our buffalo against the wind. There were one or two who rode along under the edge of the plateau directing our movements. The ravine was long and seemed to be leading nowhere. Blueblanket had been grumbling at something from the start and he now declared that our scouts on the hill were playing us false and he for one was not a fool to allow it. He whipped up his horse and started to cross a snow-covered draw and give the scouts a piece of his mind, but had not gone ten rods when man and horse disappeared in a washout, sending up a cloud of snow. After some struggling the fellow dragged his horse out and shaking the snow from himself, came back very peaceful. Every one chuckled and the man riding next to me said half under his breath, "he is cooled off now."

When we started on this hunt it was expected that we would be gone from three to four weeks and we provisioned accordingly. As we were out twelve weeks our supplies were insufficient. Sugar and coffee and flour hardly lasted the time for which we expected they would. Corn was parched and used instead of coffee for a day or two, and that was the last of the corn. Then rosebush tea was made (boiling the buds or the roots and in some cases the wood itself) so long as there was any sugar left. I recollect that we had six weeks of straight meat diet with nothing but soup and water to drink. However, everybody was happy though some were sorely put to because the tobacco gave out with other civilized supplies. We had abundance of meat of all kinds and our dogs were fattening famously. There were about two thousand buffalo killed on this winter hunt.

Our last run took us across one of the branches of the Grand river northwest of Slim Buttes. It was storming vilely when we

began to shoot and in the run I became separated from the rest and when I came to skin a big beast I had shot there was no one to give me help in turning the carcass over. My horse too, was snorting and would not help, though I'll confess I tried to make him do so but half heartedly. The result was that I took but half the robe, cutting it down the back. This was shifted to my pack horse, my hunter turned loose, and I on the pack horse returning to camp had no end of trouble with deep drifts. When all were in camp Touch-the-Cloud declared that he alone of the entire party had had trouble and calamity on his way in. To this I took exception and some one called on us for the particulars. Touch-the-Cloud had tied his meat as he supposed securely but all the way in he had been dropping piece after piece and had been obliged to get down, fish about in the snow and tie the meat on again. We had been several hours after dark in reaching camp and Touch-the-Cloud said he was plumb tired out and besides he had lost several pieces of meat. I was next and told how my half hide had frozen stiff and every time the way ran through a low place where the snow was drifted, I could not keep horse and man together because of the frozen hide, and several times I found myself straddle of this, my horse having gone out from under. All voted that the wind was taken out of Touch-the-Cloud's sail, and to this day I am joked for riding frozen hide as a saddle with no horse under it.

DEDICATION OF LOG SCHOOL HOUSE MONUMENT,
VERMILLION, AUGUST 25, 1909.

ADDRESS OF DOANE ROBINSON.

No community ever became really great and worth while, until it had a past to venerate and a history to glorify. I like to emphasize that proposition for it embodies a compendium of human experience in the affairs of nations.

I know it is trite, but we have Thomas Jefferson for the declaration that it is wise to frequently revert to fundamental truths, and no truth is more fundamental than that civilization rests upon the foundation of recorded history. There is no progress without it. Men continued to be savages until one of them began to crudely set down a record of his accomplishments, so that his children might, in a measure, have the benefit of his experience, and, to a degree, begin where he left off. With that record came the birth of civilization which has developed to the great enlightenment of the twentieth century; an enlightenment which exists because, through recorded history, we are permitted to participate in and to use for our own, the experiences, inventions, and the wisdom of all men for the past five thousand years. It is, perhaps, scarcely necessary to suggest that upon the contrary, in so far as mankind neglects to avail itself of historical records, does it revert toward the type of primitive savagery.

Clay county, with more than a half century of courageous effort upon her record, gathers her people today in veneration for her splendid past, and to glorify the hard wrought accomplishments of the fathers and mothers who worked sums on this soil, more difficult than any their children will be called upon to solve. Because of persistent toil for better conditions and because of the brilliant successes revealed in that fifty years' record, Clay county is great.

This reunion of pioneers will contribute its mite to the extension and perpetuity of civilization because through it will be permanently recorded the experiences of an interesting and

important period in the development of the west and that record will do its part toward informing the philosophical historian who will later examine it and it will aid to shape his views and the conduct of his followers.

Chiefly, we are here to dedicate a monument to mark the site of the first permanent school building erected on the soil of South Dakota and thereby, to commemorate the wisdom, virtue and foresight of those pioneers, some of whom we still delight to honor in the flesh, who here laid the foundation for the broad and enlightened policy of liberal education for all which is Dakota's proudest distinction. It is indeed a happy and notable circumstance that this monument stands under the immediate shadow of South Dakota's most exalted educational institution, and yet I would not care to say that those pioneers builded better than they knew, for I am convinced that among them were prophetic souls, who saw the end from the beginning.

It is not expected that I should recite the story of that old log school house to you who know it as the old Hebrews knew the story of the Temple at Jerusalem, know it as I can never know it; its story has been recorded by abler pens than mine and it will not be lost to posterity, and each succeeding generation of your children will read it with renewed and increasing interest and with ever increasing veneration for the pioneers who built it. Perhaps, instead, I will be permitted to recite my appreciation of it and of the heroic souls who built it:

THE LOG SCHOOL HOUSE.

"Rock-founded," so the Galilean said,

"The storm swept edifice shall surely stand."

The Settlers came with their hope and love,

Courage, ambition, unfaltering faith,

Casting them all at the architect's feet:

"Bring we these rocks for the founding," they said.

"Build the bed-wall enduring and deep,—

Give we our heart's blood to mortar the rock,—

Spare us no cost that the footing be sure;

Found here a temple to wisdom and truth."

Humble indeed, was the primitive fane,
Sturdy the sills that supported its dome,—
Prophets and seers were the settlers who came,
Bearing the stones to the artisan's hands.

Founded on rock, unfailing, secure,
Rises above us the temple they dreamed;
Rises the glorious temple achieved,
Built on the bed-wall their sacrifice bought.

The school presupposes the teacher and in very fact is predicated upon the teacher; that "the teacher is the school," is an axiom. The story of the old log school is the glorious epic which it is in the history of South Dakota because of the teachers who stood at its desk; aye more than that, South Dakota is what she is, great, rich and prosperous, intelligent, moral and inspiring because of the noble men and women who have dedicated their talents to the instruction of her young. No encomium is too high, no appreciation too great to lavish upon these devoted servants of the common good.

The log school house was especially favored in the teachers who presided over its destinies. I have one of them in mind and maybe I can so describe him that you can recognize the likeness:

THE TEACHER.

Take along in them old days
Of Injuns, drouth and hopperbugs,
Come a hum'ly, young Canuck,
Wearing one of them blamed mugs:
Kind that makes you turn sideways,
And walking slanchwise have to say:
"Well he aint so much for looks,
Seen them prettier in books,
But hanged if he aint sort of blest
With features different from the rest."
Hear'd he'd been a saddler kid;
Fit the rebels too, he did;
Been to school and studied law,
Come out here an awkward, raw
Pettifogger. Clients shy
So he give the school a try.

Growed on us as time rolled on ;
Men has come and men has gone,
But He's just stayed and plugged along,
Doing something every day
To sort of anchor down Old Clay
And keep the craft from going wrong.

Kept on teaching 'til we took
His day's work for a lesson book,—
'Cepting once he got a spell;
Scared he never would get well ;
Tried to get his life insured,
But jest one Congress got him cured.

We've found out that old Canuck
Has a head he keeps just chuck
Spang up full of good hoss sense,
Sympathy and benevolence.
Aint no room for sinful pride,
Couldn't show off if he tried ;
Just keeps teaching commonsense ;—
Simple, honest faithful guide,
Got no place for wicked folly ;
Just the same, he's always Jolley.¹

It would perhaps be opportune were I at this point to say some word of the pupils who filled the benches of the old log school and went out from there to places of usefulness in our commonwealth and in other lands. Many of them survive in positions of respect and good citizenship. Some have won high honors ; not one, so far as I am informed, has brought disgrace upon his land. Knowing the innate modesty of the members of the old school house association present, I dare not indulge in more personal allusions to that distinguished and highly privileged body.

Clay county has been and is peculiarly favored in the means

1. Col. John L. Jolley. See 3" S. D. Colls. page 127, note.

for recording the events of her career. The modern newspaper is the greatest of historians. What was formerly done at great expenditure of labor, in long hand, upon expensive parchments, to be sedulously guarded and read to the unlettered masses from the the synagogues, the modern newspaper does much more efficiently and comprehensively and lays before its constituency for their edification and instruction, and preserves carelessly, but successfully, to succeeding generations.

No other rural community of my acquaintance has so ably conducted and comprehensive and conscientious recorders of events as has Vermillion in the splendid newspapers published here.

I am sure Brother Colvin² will understand that no suggestion, invidious to his excellent newspaper is intended when I pay an especial compliment to that Nestor of Dakota journalism, the Dakota Republican.

I've sponged some pretty notions from Old Dana, in his day,
And Horace Greeley steered me in the proper way to vote,
I've always read them careful, and I love them still, ye'll note,
But I'm here to testimony, as I heard the justice say
Aint no paper circulated 'mongst us farmers down in Clay—
We've got them here from Boston and Alaska like as not,
From London and Wakonda, aint no telling what we got—
Can't any of them measure with that old Republican
What's printed off by Willey and the Little Fellow Dan³.
Now papers, they have spirits, I always will maintain,
And kind of human feeling that is pictured on the type;
Some is 'sour and cold, dyspeptic; sort of pulled before they's ripe;
Some is smiley, bright, refreshing, as a shower of summer rain
And their columns throw off sunshine like waving, green-ripe
grain,
And they yield a crop of sympathy and trust and commonsense
That has a market value, can't be reckoned in per cents.
And for sense, and faith and sympathy, no other paper can
Match one that's made by Willey and the Little Fellow Dan.

2. W. R. Colvin, editor *Plaintalk*.

3. E. H. Willey and E. E. Danforth, editors of the *Dakota Republican*.

Keep at it Mr. Editors, you're the making of Old Clay,
Your hopefulness is ketching, your faith the kind that sticks.
You are smoothing down rough places. Help us stand against the
pricks,
Teaching us that every settler is in duty bound today
To holler for the country in the good Abe Lincoln way.
You are loyal to Dakota; make us love our prairie sod;
Put trust in fellow beings and confidence in God.
O, I tell you for pure giftedness, no other paper can
Match one that's made by Willey and the Little Fellow Dan.

There is ever very much of satisfaction in a reunion of pioneers, even when a less notable thing than this dedication is its distinguishing feature. When men and women meet to rehearse again the tales of the beginning, of the days of foundation laying and homebuilding, with their toils and trials, struggles and sacrifices, successes and defeats, joys and jubulations, suffering and sorrow, now softened and colored into a harmonious canvass by the magic brush of time, they are led to exclaim with America's greatest poet: "To those good old times; All times when old are good." I am indeed grateful that it is my privilege to join with you on this happy occasion.

REVEREND THOMAS M. SHANAFELT, D. D.

Dr. Shanafelt was a native of Brinkerton, Clarion county, Pennsylvania. He was of Pennsylvania Dutch stock, the name being a corruption or Anglicization of the German Schoenfeldt. He was raised a farmer boy and secured his elementary education in the country schools of his native state and at 21 years of age, graduated with high honors from the University of Lewisburg, Pennsylvania, now known as Bucknell University. With two of his brothers, he had chosen the Baptist ministry for his life work and was pursuing his theological studies when the war came on. He immediately tendered his services to his country, but was rejected because of ill health. However, after repeated attempts, he was accepted as a private in Company A of the Twenty-eighth Pennsylvania volunteer infantry which was composed chiefly of students of the Bucknell University. He saw three months of active service in this company, taking part in the battle of Gettysburg, and was slightly wounded by the explosion of a large shell, during a several hour's engagement with Stewart's cavalry. By this accident, his hearing was slightly impaired and he never fully regained it. At the end of three month's service he was mustered out by reason of his ill health and at about the close of the war was again accepted into the services as a chaplain of a Pennsylvania regiment. Throughout the war, when not in actual service, he rendered the Union cause every assistance in his power in his civilian capacity. At the close of the war he completed his theological studies, being one of the first graduates of Crozier Theological Seminary, and at once entered the Baptist ministry, and in 1867 removed to Michigan, where, his health being much improved, he served in the pastorate for twenty-one years, and held many important positions in his denomination, having been secretary and treasurer of the Baptist Educational Society, member of the board of trustees of Kalamazoo college, and for fifteen years he served as secretary of the Michigan Baptist state convention. In 1884, at the national encampment held in Minneapolis, Minne-

sota, he was elected chaplain in chief of the Grand Army of the Republic and was a delegate from the Michigan department to the national encampments at Minneapolis, Portland, San Francisco, St. Louis and Detroit. He was a member of all of the Masonic bodies and a 32 degree member of the Scottish Rite. In 1888, he was appointed general missionary from the American Baptist Home Mission Society for South Dakota and continued in that position for more than twenty years. In 1889 North Dakota was added to his field. While he was at the head of the work in South Dakota, seventy-six new Baptist churches were organized, seventy houses of worship and twenty-five parsonages were erected and under his careful and aggressive leadership, the denomination grew rapidly in strength and influence and maintained a leading position among the other denominations in his field. For several years he was the South Dakota representative on the board of managers of the International Baptist Young People's Union of America and vice president of the American Baptist Historical Society.

Dr. Shanafelt gave considerable attention to literary work. In 1881 he compiled biographical sketches of nearly four hundred Baptist ministers in Michigan. He is author of "The Statistical Baptist History of Michigan," "The Baptist History of South Dakota," "The Baptist History of North Dakota, 1879-1904," "Fifty Years of Baptist Growth and Progress in Baptism," "Baptist Belief and Practice With Respect to the Lord's Supper," "A Defense of Christian Baptism," and several smaller denominational and historical works. Being deeply interested in historical research, he published numerous historical articles in denominational and secular newspapers and magazines.

Dr. Shanafelt was always everything that public-spirited good citizens should be. During his South Dakota residence he served as president and also as secretary of the board of commissioners of the South Dakota Soldiers' Home, was a charter member of and the first vice president and second president of the State Historical Society. He possessed a genius for tireless industry and persistent application in every line of effort to which he gave his mind. While his business was his active church work, the

pursuit of history was his recreation and shortly before his death, he turned over to the library of the Historical Society fourteen large folio scrap books filled with choice clippings and notes upon the history of Dakota and the Northwest. In pursuit of western history, he joined with Hon. Jacob P. Brower, the Minnesota historian, in the exploration of the Upper Mississippi valley and, with Brower, traced the Father of Waters to its farthestmost fountain in the wilderness fastnesses above Lake Itasca and proved the error in the claims of Glazier to having discovered the head of the Mississippi.

It has fallen to the lot of few men to lead a more active or more useful life than did Dr. Shanafelt or to leave behind him a more honored memory. He was born April 1, 1840, was married to Miss Phoebe Gilday, of Jersey Shore, Pennsylvania, October 23, 1866, and is survived by his wife and one son, William C., who is connected with the First National bank of Detroit, Michigan. He died at Birmingham, Michigan, August 17th, 1909. He had been in very poor health for two or three years prior to his death which fact compelled him to give up his work in South Dakota. The immediate cause of his death was a stroke of apoplexy, which came upon him two days before the end. The funeral services were held in the Baptist church of Birmingham, Friday, August 20th, at 3 p. m.

Rev. C. E. Conley, Editor of the Michigan Christian Herald, took charge of the services. There were present besides Mr. Conley, Rev. J. S. Boyden, of Kalamazoo; Rev. John Mathews, of Royal Oak, Rev. W. L. Riley, pastor of the Ferry Ave. Baptist Church of Detroit and Rev. T. K. Tyson, of Detroit, District Secretary of the Home Mission Society for Ohio, besides Mr. C. W. Pickell, representing the North Baptist church of Detroit, of which Dr. Shanafelt and Mrs. Shanafelt were members during their residence in that city.

All of these brethren took part in the exercises. Naturally they were of a reminiscent character, all of them having known Dr. Shanafelt many years ago. The choir rendered beautiful and appropriate music, singing, "Some time we'll Understand" and

"The Christian's Good Night" "Servant of God, well done," "Thy will be done." The last named was a solo by Mrs. Nora Hunt, of Jackson. A beautiful rainbow appeared as the cortege left the church. The casket was draped with the American Flag, a beautiful one owned by Dr. Shanafelt's son and especially prized by the Doctor. Besides the casket was laden with beautiful floral tributes. He was buried just before sunset in Roseland cemetery, about four miles southeast of Birmingham. The remains were escorted to the church by a detail from the G. A. R. post of Birmingham.

JOSEPH M. GREEN

A Charter Member of the State Historical Society of South Dakota. Born in Ireland in 1848. Resided in Chamberlain South Dakota 29 years. Died July 5 1909.

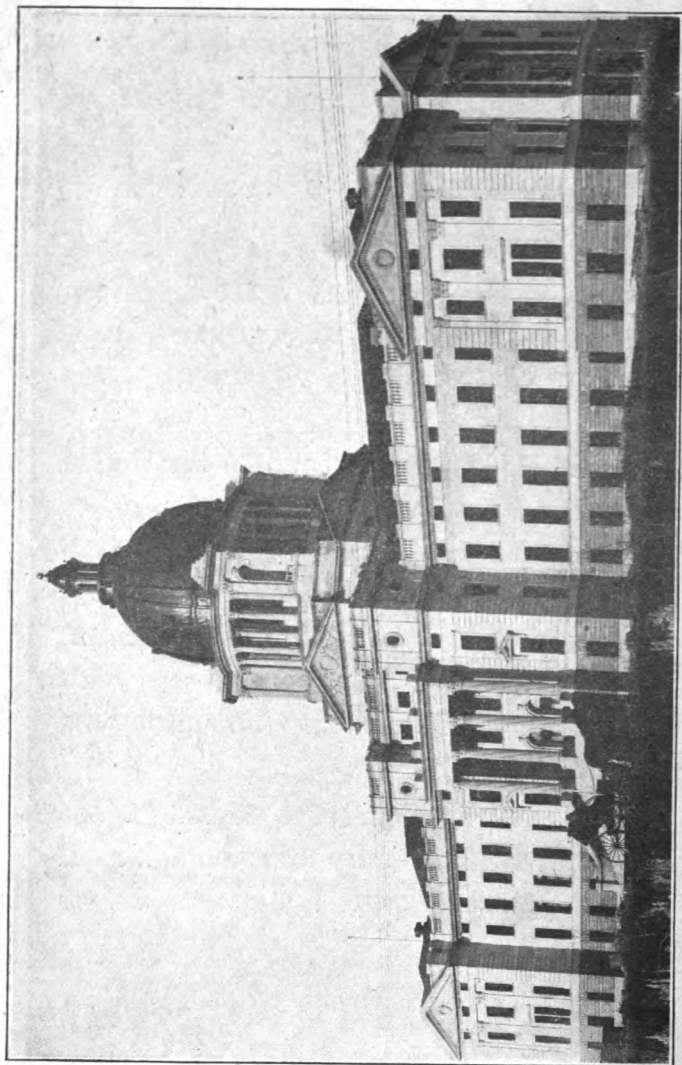
A soldier of the Rebellion serving in the 2nd Iowa Cavalry.

Member of the First State Legislature.

Chairman Republican State Central Committee 1892-1894.

National Republican Committeeman 1906-1909

He left a bequest of \$5,000 to the poor of Brule County to be administered by the Masonic orders.



NEW CAPITOL, 1910.

Capital and Capitol History

• — OF — •

South Dakota

CAPITAL AND CAPITOL HISTORY OF SOUTH DAKOTA.

The Capital and Capitol history of South Dakota forms an interesting chapter in our progress and it is the purpose to gather in this volume the material which surrounds the several attempts at capital location and capitol building from the earliest settlement until the final location at Pierre was ratified by a vote of the people in 1904 and a new capitol was erected and finally dedicated to its uses on June 30th, 1910.

From the establishment of Ft. Teton at the mouth of the Bad river upon the present site of the city of Ft. Pierre in the year 1817 until old Ft. Pierre was abandoned by the government forty years later, the virtual capital of the Dakota country was on the west bank of the Missouri river within the morning shadow of the present splendid statehouse. There the Commandant of the post was the supreme ruler of the land. Living in a somewhat savage splendor; dispensing justice in a crude way, holding the lives of the whites and Indians arbitrarily at his mercy, the bourgeois was a political necessity growing out of the conditions then existing in the Indian country far remote from all civilized law, legal jurisdiction, courts or rulers. Perhaps nothing in American history is more interesting or more picturesque than the arbitrary administration of law and justice by these self-situated rulers of the frontier. It is not the province of this paper to go into the details of these administrations but only to note the facts that the center of government, the capital, was by common understanding and consent, located at the several trading posts in and about Fort Pierre, known respectively as Fort Teton, 1817-1822, Fort Tecumseh, 1822-1832, Fort Pierre, 1832-1857.

In 1857 a new propaganda arose. Minnesota was about to become a state. At St. Paul was a large number of enterprising men who had, in one position or another, been connected with the Minnesota Territorial government, from whom they had

earned both honors and emoluments. They had held office from subordinate places to the governorship; they had been contractors for the various supplies needed by the Territorial government and for the Indian posts; they had found the public printing a fat contract and they were not slow to understand that, with the admission of Minnesota, a new Territory would necessarily be formed from that portion of Minnesota Territory lying west of its western state line. Consequently, two years prior to the admission of Minnesota, they organized the Dakota Land Company at St. Paul, having in view the securing of all of the feasible townsites in the Dakota country and of establishing themselves at the most eligible of these where they hoped to locate the capital, secure for themselves and their friends the renumerative offices and the more remunerative public contracts. They sent out their spies to reconnoiter the land and discover prospective townsites at various points along the Sioux, the Missouri, the James and other streams in Dakota country and in the spring of 1857, with a considerable force, went out and made locations. Governor Medary of Minnesota was at the head of the enterprise and he had associated with him a large number of capable and energetic men. The National Government at this period was Democratic and the promoters of the Dakota Land Company were astute Democratic politicians and the ramifications of their influence extended thru many of the more influential eastern states and directly into the White House and they had every reason to assume that, when Dakota Territory was created and organized, that they, and their friends, would be in complete control of the situation. Big Sioux county, Minnesota Territory, was duly created and organized by Governor Medary to embrace the section comprehended within the present Minnehaha county, South Dakota, and the offices were filled with the members of the Dakota Land Company. From the first, Sioux Falls was determined on as the capital of the new Territory and was so proclaimed by its founders. Promptly upon the admission of the state of Minnesota in the spring of 1858, the Board of County Commissioners of Big Sioux county, appointer Alpheus G. Fuller to represent that portion of Minnesota Territory lying west of the state of Minnesota in Congress,

and pending an election, this Board of Commissioners exercised a sort of emergency Territorial government for the Dakota region; in fact, there was but a handful of men residing in the Sioux valley and government at best was but a nominal affair. In the fall of 1858 an election was held, a Legislature and Territorial officers chosen, and a complete government established at the capital at the falls of the Big Sioux. At this time there occurred in National politics a revolution upon which the Dakota boomers had not counted and which caused the most of their well-laid plans to miscarry. In a night, as it were, a new National political party had sprung up and at the election of 1858, had actually chosen a majority in the House of Representatives in Congress and the Democratic politicians of Dakota, to their dismay, found their influence at Washington of no avail. In the meantime, a thin thread of settlement had scattered along the Missouri river from Sioux City to Fort Randall; at the latter place there was quite a colony of civilians about the military post. Capitan John Blair Smith Todd, a man of large ability, had resigned from the regular Army and engaged in the Indian trade and had established stores at every convenient point from Sioux City to Randall, the chief of which was located at Yankton. Todd possessed influential political connections throughout the east and he at once became a formidable rival to the enterprising promoters on the Sioux. For two years thereafter, there was carried on a tremendous contest between the two interests, the prize at stake being the location of the Territorial capital and and the control of the Territorial patronage. Tho seriously inconvenienced by the political revolution of 1858, the Sioux Falls men did not give up hope until the election of Lincoln in the fall of 1860, then they realized that a further struggle was futile. Captain Todd was a cousin of Mrs. Abraham Lincoln and in those days nepotism was a greater influence in affairs than in more recent years and tho the Democrats made a great effort to get the Territory created in time that Buchanan might fill the offices and locate the capital, the Republican house was able to hold the matter in abeyance until the second of March, 1861, before the Dakota bill became a law, and it was one of the first duties devolving upon Presi-

dent Lincoln to appoint the officers and organize the Territory of Dakota. In this business the influence of Captain Todd was supreme and thereafter there was no question whatever that the capital would go to the Missouri and very little question that it would be established at Yankton. President Lincoln appointed as Governor of Dakota Territory his neighbor and family physician Dr. William Jayne, a cultured young citizen of Springfield, Illinois, and in him was vested, by law, the absolute power to fix and determine the temporary seat of government where the Territorial business should be conducted until the Legislature should "proceed to locate and establish the seat of government for said territory at such place as they may deem eligible." It does not appear that the Sioux Falls promoters ever deemed it worth while to even request Governor Jayne to establish the temporary seat of government at that point where, from May 1858, until the organization of the territory, there had been maintained a provisional territorial government where the legislature had twice assembled and whatever of general government existed had been maintained. When the territory was created Yankton, Vermillion and Bon Homme, points at which Captain Todd had considerable interests, were hopeful of securing the capital, but when Governor Jayne did come out to the Territory in the early summer of 1861, he proceeded directly to Yankton as if it had been so nominated in the bond, set up his government affairs, and convened the first Legislature to meet there on the 17th of March, 1862. The paper next following, written by the Hon. George W. Kingsbury, then, as now, a citizen of Yankton, tells in interesting detail of the events surrounding the establishment of the permanent seat of government there by the first Legislature.

HOW YANKON BECAME THE CAPITAL.

GEORGE W. KINGSBURY.

There was nothing scandalous connected with the location of the capital of Dakota Territory at Yankton in 1862 at the time when the organization of the Territory may be said to have been completed. There were incidents connected with the legislative proceedings had upon the passage of the law that at the time attracted

considerable attention, but nothing in the nature of bribery or other unseemly practice.

The location of the Capital at Yankton was determined upon when Mr. Lincoln appointed the federal officials. General Todd, who claimed the townsite of Yankton, was a cousin of Mrs. Lincoln, and it is probable that this relationship enabled him to secured the favor of the president and his influence with the new Territorial Federal officials. The General made no effort to control any appointment, but he doubtless received his share of recognition in an assurance that the appointees would be friendly to his chosen Capital location. We are warranted in taking this view from the fact that all the Territorial officers appointed by President Lincoln, came direct to Yankton upon their first visit to the Territory. There had been no understanding among them that would have directed them to one common center, for they were strangers to one another when they arrived in the Territory and met for the first time on Dakota soil. They came, each from a different state, and they came singly, some by steam-boat, some by military ambulance, some by private conveyances. It did not transpire that any came with ox team or on foot, but they seemed to have been semi-officially notified that when they reached Dakota all roads would lead them to Yankton.

Yankton possessed no accommodations for these officers save a roof to cover and an abundance of excellent Missouri river catfish, but no other town possessed any better, and, with the exception of Vermillion, none could equal the Queen city at that time of the Strike-the-Ree-Valley.

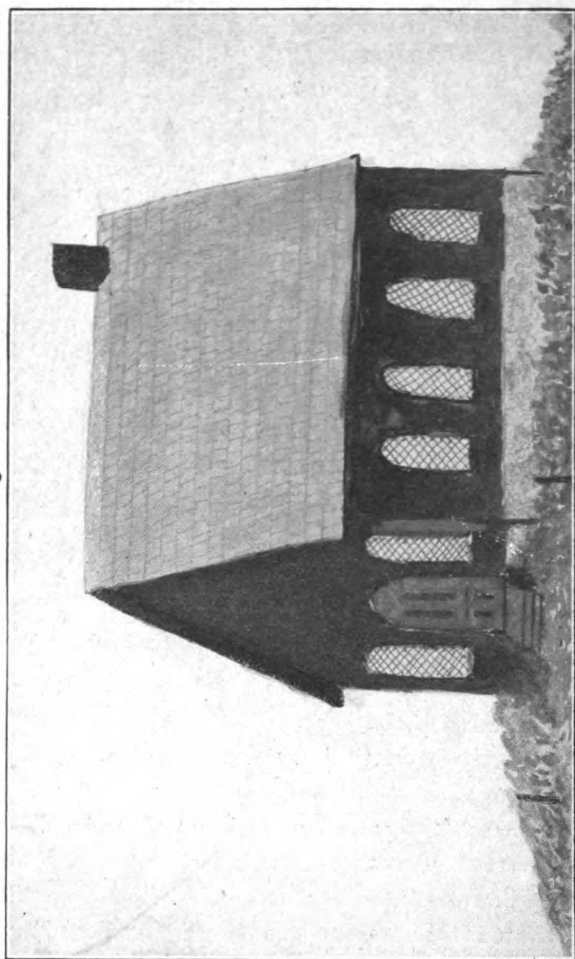
The governor came and found accommodations in a log cabin—possibly we ought call that structure the first capitol building in Dakota. From this humble structure he issued his proclamations and announced the appointment of his census supervisors and enumerators and did whatever the Organic Act required of him of the preliminary work of organization. The Surveyor General came and secured quarters in a store building on the river bank under the same roof with the Secretary of the Territory, who put up with the rear end of the room, having nothing to do and no need for much floor space, being a small man. The



HON. GEORGE W. KINGSBURY

Chief Justice was taken in by a kind hearted citizen on the edge of what is now the city, who fixed up a lodging place for the dignified jurist and fed him on the best the market afforded. This was the situation and who shall say that the Capital was not already located? Who directed the steps of all these public servants to Yankton from Illinois, from Kansas, from Tennessee, from Michigan, Ohio, Pennsylvania, Maine, Missouri and Maryland? They undoubtedly received their marching orders from the appointing power through its cabinet ministers. We might claim that this much accomplished, the Capital location was no longer open to contest, and in fact, this proved to be the case, but there remained the requirement of the Organic Act to be complied with which gave to the first Legislature the power to locate the Capital.

Now connected, though somewhat remotely, with the Capital location was the Governor's proclamation mapping the great Territory off into Council and Representative districts, preparatory to the election of a Legislature. If we should undertake to show accurately where the district boundaries were drawn it would take up too much of your valuable space, but as they will be referred to hereafter, it may be well to simply state that they began at the Missouri river and terminated on the International boundary line 400 miles to the north. The first district for instance embraced the entire Big Sioux and Red River Valleys; the second embraced a strip east of the Vermillion river, adjoining, of course, the western boundary of the first; the third district began at the Vermillion and came west half way across the Vermillion bottom; then came the fourth which took in Yankton and covered the country ten miles west; then the fifth which was the Bon Homme district; and following that the sixth which covered the present county of Charles Mix, Fort Randall and Ponca Agency, (or Mixville) which points were in the present county of Gregory. There were two representative districts not enumerated here but they are not material. As the first Legislature was limited to nine councilmen and thirteen representatives, the Governor was able to give to each district two councilmen and two representatives, except the third, fifth and



Sketch by Mrs. J. R. Hanson.

OLD EPISCOPAL CHAPEL, YANKTON
In Which First Territorial Council Met

sixth, which had to be satisfied with one member of the upper house, while the representatives, were more liberally bestowed. As this is written from memory, the writer will not guarantee it to be accurate as to Red River, which may have had an independent representative district but its Council district must have been joined with Sioux Falls and the lower Sioux. We make this statement on the ground that McPetridge of St. Joseph and Pembina appeared at the first Legislature and entered a contest for the seat of councilman Brookings of Sioux Falls.

The Legislature was chosen at the election called in September 1861, and the members elected assembled at Yankton March 17th, 1862, and organized the first Legislature. There were no counties in those days, but as we would designate them now, the council members were Austin Cole of Union; W. W. Brookings of Sioux Falls; H. D. Betts and J. W. Boyle, Vermillion; Jacob Deuel, West Vermillion; Enos Stutsman and Downer T. Bramble, Yankton; John H. Shober, Bon Homme; and J. Shaw, Gregory, Mixville, Ponca Agency, (Gregory county.)

The House members were Chris Maloney and John McBride, Union; George P. Waldron, Sioux Falls; Hugh S. Donaldson, Red River; A. W. Puett and Lyman Burgess, Vermillion; Bligh E. Wood and Jacob A. Jacobson, West Vermillion; John Stanage and M. K. Armstrong, Yankton; George U. Pinney and Ruben Wallace, Bon Homme; John Tiernon, Mixville (Fort Randall.)

Yankton influence ruled the roost when the Legislature met and both the presiding officers were given to Bon Homme county, Shober being made President of the Council and Pinney Speaker of the House. This was in accord with an understanding that Bon Homme should stand by Yankton for the Capital location. The only open opposition to Yankton at the time came from Vermillion, which point was also claimant for Capital honors. On the assembling of the Legislature, however, in fact the very day or the day following the meeting two of the most prominent men connected with the old Sioux Falls settlement of '58, appeared in town and took up quarters at the principal hotel, and thereafter kept open house. They did not come to help Yankton, but

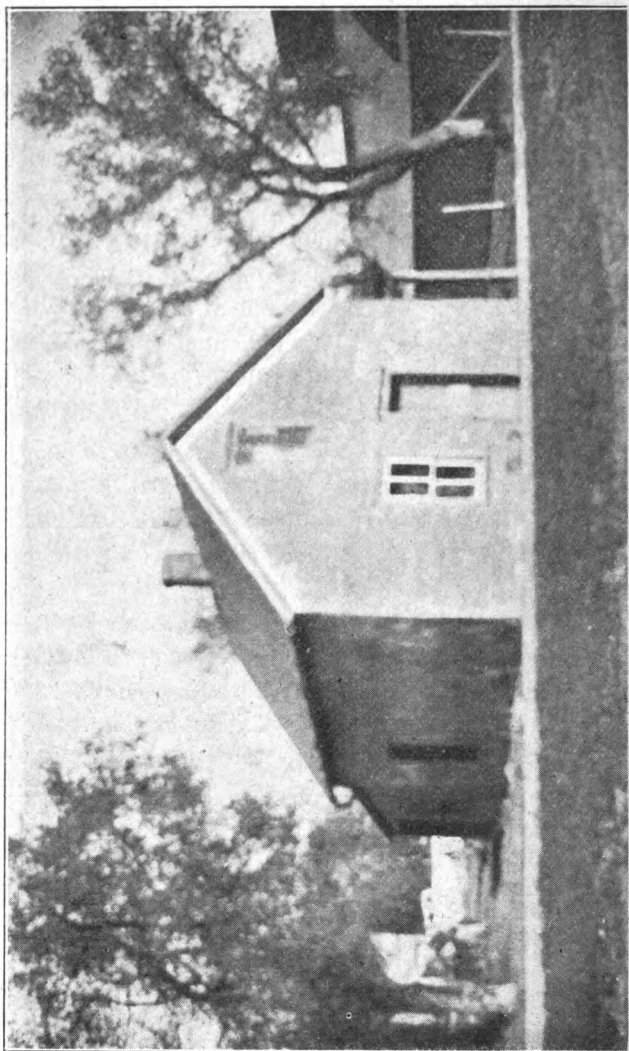
as nothing resulted from their sojourn it is surmised that they came to take advantage of any opportunity that might be presented in the course of events. They had been taught in the school of discretion, and though afterward abiding for years in Yankton, they never disclosed the purpose of their vigil during the first Legislature. But the course of Representative Waldron, of Sioux Falls, during the proceedings, would indicate that he was working in harmony with the old guard who were dispensing hospitality at their rooms in the Ash hotel.

The story of the contest in the Legislature over the location is rather long and not interesting to the lay reader as officially reported. This sketch will not attempt to give it. Suffice it that Councilman Stutsman, of Yankton, on the 11th day of Session introduced a bill "to locate the seat of Government of Dakota Territory" at Yankton. It was read twice, referred to the committee on Territorial affairs, reported favorably, on the 13th day, taken up for third reading, when Mr. Boyle, of Vermillion, moved to amend by striking out 'Yankton' and inserting 'Vermillion'. The amendment was lost and the bill was then passed by the following vote:—Ayes, Messrs. Bramble, Brookings; Cole, Stutsman and Mr. President, (Shober). Noes, Messrs. Boyle and Betts of Vermillion; not voting Messrs. Deuel of West Vermillion and Gregory of the 6th district, (Mixville).

The bill was then transmitted to the House, where Armstrong called it up and on the 18th day it was considered in Committee of the Whole with Puett of Vermillion in the Chair. Speaker Pinney thus disclosed his hand in selecting the Vermillion man as chairman of the Committee of the Whole, but he did not leave any room for doubting his attitude for he straightway took the lead on the floor, and moved an amendment to the bill to strike out 'Yankton' and insert 'Bon Homme' which was lost five to eight, Donaldson, Puett, Waldron, Wood and Pinney voting for it. Pinney then moved to strike out 'Yankton' and insert 'Vermillion' which was adopted seven to six, Burgess, Donaldson, Jacobson, Puett, Waldron, Wood and Pinney voting affirmatively. The Committee arose but made no report and the following day Armstrong called the matter up and moved that

the bill be referred to the Committee on Counties with instructions to strike out 'Vermillion' and insert 'Yankton'. Speaker Pinney ruled that a motion to instruct violated the rules: Armstrong appealed from this decision, and was sustained by a vote of 10 to 3, which was unaccountable under the circumstances. This was followed by considerable skirmishing, and as we view it to day, the leaders didn't know exactly what to do. Parliamentarians were few and the two or three who had a smattering of the law indisposed to push matters. It would seem that Pinney's purpose was to 'muddle' the matter-get it in an inextricable position; and Armstrong, who had never had any legislative experience, but was a very intelligent and competent man, felt like a 'tender foot' and though he had gained a signal victory in carrying through his appeal, did not know what to do with it. The anti-Yankton members tried to adjourn, but the House refused, and finally consented to refer the bill to the Committee on Counties. Tiernon, strong friend of Yankton, was Chairman of this Committee, and reported the bill the next day, 'Vermillion' stricken out and 'Yankton' inserted, but the Speaker refused to receive the report on the ground that it was not in order and in violation of the rules. Armstrong moved a suspension of the rules and the reception of the report, which motion the Speaker ruled 'out of order.' Finally, the bill seems to have been brought before the House, placed on its final passage, with 'Vermillion' on top, and the remarkable feature of the vote was its unanimity, even the Yankton members voting for Vermillion. There was probably some plan in this vote; but it is difficult to discern it at this distance from the time of action.

Of Mr. Pinney, it may be said that he was a remarkable young man of twenty-nine years. He was a scholarly fellow, and he had the flashing eyes of genius. In general ability he was more than the peer of any of his associates, and he felt it. He seemed to court a contest, and was that sort of man in a legislative body who would keep all the others uneasy and guessing. A harmless motion to adjourn from him would arouse suspicion. The members would inquire of one another 'What's up now?' and Pinney appeared to enjoy his distinction as a trouble maker.



HOUSE OF CAPT. WM. TRIPP
In Which First Territorial House Met

The Capital bill was returned to the council as amended, was given immediate consideration. By a vote of six to two, Deuel not voting, the Council refused to concur, and instructed its Secretary to notify the House of its action. Now whatever had transpired to change the sentiment of the House from the time the bill left that body for the Council and was returned to it, we are at loss to conjecture, but on its return, and reconsideration, 'Vermillion' was stricken out and 'Yankton' inserted without any show of opposition, only two votes, Puett and Waldron, being given in the negative. Waldron and the old Sioux Falls veterans at their headquarters in the Ash hotel, seem to have been implacable. But the bill was passed on the affirmative vote of all members except that Vermillion did not vote and Puett voted No. The bill was passed on Saturday, April 5th, and approved the following Tuesday, and Yankton "Was out of the woods." The law was a brief one and is given here:—

'An act to locate the seat of Government of Dakota Territory.'

BE IT ENACTED BY THE TERRITORY OF DAKOTA:
Assembly of the Territory of Dakota.

Section 1. That the seat of Government of the Territory of Dakota be, and the same is hereby located and established, in a central part of the town of Yankton, on Section eighteen in township ninety-three, north Range fifty-five, west of the fiftieth principal meridian, in the county of Yankton.

Section 2. This act shall take effect and be in force from and after its passage and approval by the Governor.

Approved April 8, 1862.

W. Jayne,
Governor."

A careful reading of the proceedings will show that at no time was there any chance for Vermillion to win, the Council being six to three and probably seven to two in favor of Yankton, for Deuel would have voted for the latter had his vote been needed. Brookings was believed to be above suspicion on general principles, but had he been induced to desert, there stood Mc-Petridge, of Red River, who claimed his seat and had the reputed vote to sustain his claim. Mr. Brookings never evinced the

slightest desire to provoke the animosity of the majority of the Council.

Speaker Pinney's course was something of an enigma. About the only rational explanation of his conduct was that he believed he could force a split that would prevent any location and by siding with Vermillion he could put himself at the head of a strong faction that would back him in the race for Congress. An election would be held the same year, and it would require but a few hundred votes to elect. Pinney was a man of 'towering ambition' but was not a sagacious politician, still, with the friendship of Vermillion and his hold upon Bon Homme county, his chances would have been fair had he been able to carry through the preliminary part of his programme. This contest was not tainted with any charge of bribery. In fact, there was no money to bribe with; Uncle Sam owned the townsite so that town lots could not have been paid out for votes, and more than this, there was not the least necessity for resorting to such means. The only matter approaching 'undue influence' was the enactment by the Legislature at a later day of a law establishing the University at Vermillion and the penitentiary at Bon Homme, but this might have followed disconnected with the Capital question.

At one time during the exciting proceedings in the House, Speaker Pinney procured from the Governor an order for a squad of soldiers to be stationed in the Hall of Representatives to preserve order, prevent riot, and protect the speaker. This was done and created intense indignation. The outrage was subsequently investigated by the Council and while the Governor was exonerated, having responded to a written request from Speaker Pinney, the latter was denounced.

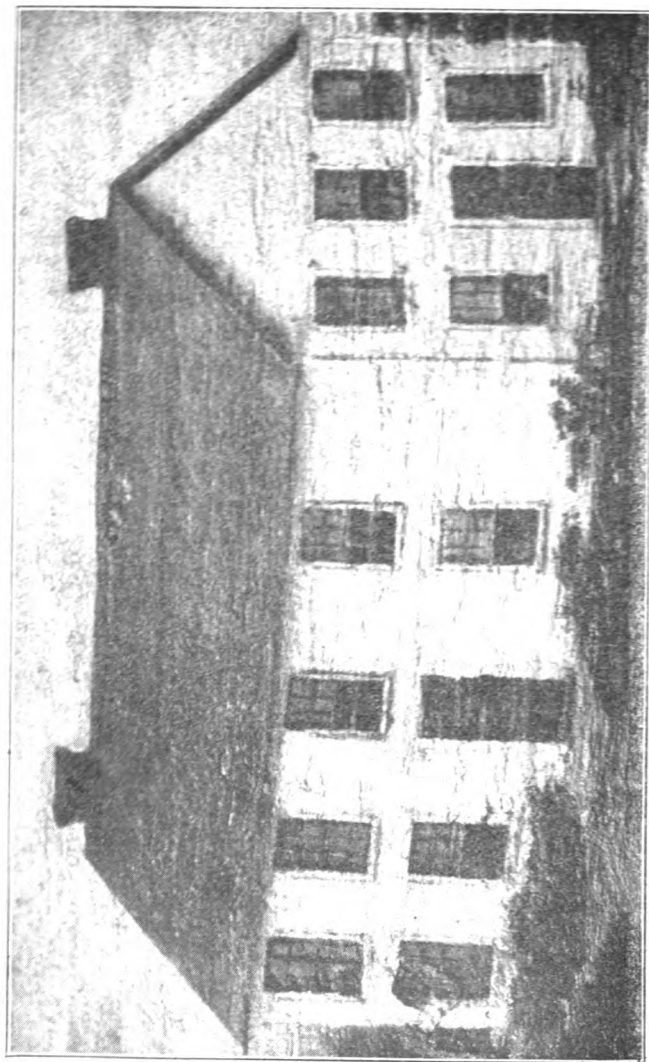
The day following the passage of the Capital bill, Mr. Pinney resigned the Speakership. There appears to have been no opposition to this step, but the resignation was accepted by a unanimous viva voce vote. Still, Pinney, was accorded the honor of nominating Mr. Tiernon as his successor and the latter gentleman was chosen without a dissenting vote. Some unpleasantness had been created and Pinney was compelled to suffer the reproaches of some of his friends and the hostility of a number of Yank-

ton's most earnest supporters, but no harm came of it, and the remainder of the session was marked by a fair degree of good fellowship. The headquarters of the Sioux Falls Veterans at the Ash hotel was quietly closed and it would appear that the contest over the Capital had been waged fiercely for a time but had left not even a scar. Peace and harmony were characteristic of the proceedings during the remainder of the session.

During the political campaign following the same year, Mr. Pinney supported Governor Jayne for Congress as against General Todd, and the same year received the appointment of United States Marshal for Dakota Territory. This office he resigned in 1864 and removed to Montana to accept a similar position.

TODD'S BON HOMME BILL, 1867.

Yankton was not to be premitted to long enjoy her triumph and the undisturbed possession of the Capital. General J. B. S. Todd upon the organization of the Territory was twice elected to Congress and while serving in the capacity was, by his relative, President Lincoln, appointed a Brigader General in the Union Army where he served with real distinction, being the only General officer from Dakota Territory to serve in the Civil war. During all of this period he was Yankton's most ardent friend and supporter. He was not returned to Congress a third time and came back to make his home in Dakota and settled down near Fort Randall in Todd county and in the autum of 1866 was chosen to represent his county in the Territorial House of Representatives, and upon the organization of that body on December 3rd, was selected Speaker of the House. Meantime, some sort of a fly had dropped into the ointment of his affection for Yankton; strangely not one of his colleagues and acquaintances who still survive can recall what circumstance had set him against the city he had formerly so ardently supported. Perhaps it was a certain contest instituted against his claim to a large portion of the Yankton townsite by one James Witherspoon and which had dragged its weary course from the foundation of the town until about this period when it was determined by the officials at



FIRST TERRITORIAL CAPITOL
From Painting by Mrs. G. W. Vanderhule

Washington adversely to Todd's interest. The decision in the case, however, does not appear to have been rendered until some months after the close of that memorable session of the Legislature and no one at this time can recall any connection between the contest and General Todd's unlooked for action. Whatever may have incited the General to it, the record shows that on Christmas Day, 1866, he called Mr. Austin of Clay county to the Speaker's chair and taking the floor, served notice that on a future day he would introduce a bill to remove the capital from Yankton to some other point in the Territory. The record discloses no further action in the premises until January 8th, 1867, when calling Franklin Taylor, the Speaker pro-tem of the House to the chair, he introduced House File No. 28, providing for the removal of the capital from Yankton to Bon Homme, and forthwith moved that the rules be suspended and that the bill be given its first and second reading.

Hon. Downer T. Bramble, of Yankton, was the leading member of the Yankton county delegation of the house and he at once began a filibuster such as found its counterpart in two or three of the recent legislatures of the state of South Dakota where a similar topic was under consideration. He promptly moved that the further consideration of the bill be indefinitely postponed and his motion was as promptly tabled. He proposed to make it a special order for the succeeding 4th of July and went down under an overwhelming majority. He tried to have it made a special order for the next Friday (the legislature would adjourn sine die by limitation of law on Thursday night). He moved to strike out Bon Homme and insert Vermillion. He made various other motions, appeals from the rulings of the chair, etc., but without avail. The bill received its first and second reading on the next day, the 9th, passed the house by a vote of seventeen to seven. While the bill was pending in the house the Yankton men in the council were not idle. On the day on which the bill went to final passage George W. Kingsbury introduced a resolution in the council reciting that a bill to remove the capital was pending in the house and "resolved that we are opposed to any change in the seat of government of this territory, believing that Yankton is the most central, convenient and desirable point

that can be selected." Mr. Turner, who was of the Bon Homme party, raised the point of order that the resolution must go over under the rules, but the president of the council, a Yankton man, very promptly ruled the point not well taken. Turner appealed, but the chair was sustained, and the test vote showed that the council stood eight for Yankton to five for removal. The house, having passed the bill, adjourned while the council was still in session. Dr. Frank Wixson was the chief clerk in the house, a Yankton man. Intimation of the action of the council having come to the ears of General Todd, he desired to delay the proceeding until he could get out to log-roll the council a bit, but Wixson, working in collusion with the Yankton men, hastily had the bill engrossed and that day, the council remaining in session for the purpose, messaged the bill to the council against the strong protest of the speaker of the house. Immediately upon its receipt in the council Mr. Kingsbury moved that it be read the first and second times and referred to a special committee consisting of the Yankton county delegation. His motion prevailed and Yankton had possession of the bill. The next morning when the house reconvened General Todd again left the speaker's chair to introduce the following resolution: "Resolved, that the chief clerk be requested to wait on the honorable council and request the delivery of house file 28, as the same has been transmitted in direct violation of the house and its presiding officer." Chief Clerk Wixson carried this resolution down to the council, whereupon Mr. Kingsbury moved that the secretary of the council be instructed to inform the house that "the bill, the return of which has been requested by the house, has been referred to a special committee of the council and will be returned to the house after the report of the said committee." Mr. Turner filibustered the passage of this motion a bit, but only succeeded in having it copper riveted by the addition, "and final action of the council has been taken." Later that day Mr. Kingsbury from the special committee, made his report on the bill as follows: "Your county delegation, to whom was referred house file No. 28, have had the same under consideration, and respectfully report that the said document appears to have been carefully prepared by some enemy of the pre-

sent capital of Dakota, with the design merely of injuring the prosperity of the said city, but with no intention of carrying out the malicious design as intimated in the caption of said document. The author of the same has omitted the enacting clause, which is necessary to give any force or effect to any bill; and, judging from the subject matter of the document under consideration, we are forced to the conclusion that some evil disposed person has sought to impose upon this legislative assembly, merely for the gratification of malice or prejudice, and having no regard whatever for the general interests of our territory. Your committee recommend that the said document be rejected." The report was signed by George W. Kingsbury, Alpheus G. Fuller and Abraham Van Osdel. The report was adopted with but one dissenting vote, that of Canute Weeks, of Clay county, and so the Capital for the time being remained in Yankton. However, General Todd did not end his fight there, but on the next day of the session introduced a resolution which prevailed in the house by a vote of seventeen to six, severely criticising the action of the council in passing the resolution of the 9th as "anticipatory of the final action of this house upon a bill before it and was calculated to unduly influence or intimidate the opinion of its members, thus imposing upon the rights of, dignities and franchises of the House, violating its privileges, and unwarrantably and unparliamentary interfering with its prerogatives."

REMOVAL OF THE CAPITAL TO BISMARCK.

W. H. H. BEADLE, LL. D.

When William Jayne, appointed by Abraham Lincoln the first Governor of Dakota Territory, reached the scene of his duties he was empowered by law to name some place as the temporary capital of the newly created government and he designated Yankton as the place. There the first legislative assembly met on the 17th day of March, 1862. This selection was confirmed and ratified by act of the first legislature after a vigorous and close struggle the features of which have been often exaggerated for political reasons, but as one fruit of the contest

Vermillion secured the location of the University which remains there in the prosperity of statehood.

At Yankton the Capital remained through fifteen sessions of the legislature by the last of which it was removed to Bismarck. Why? It might, but will not be made a long story. The Territory had a vast area and its capital was near the south-east corner. When railroads penetrated many parts and a score of ambitious towns arose, each as big and hopeful as any other, the change must come. The three years before 1883 brought this condition. There were other exciting causes. Many fights over county seat locations and some fierce struggles over subsequent changes in some of these were a fit training school. More than that, the capital was held responsible for all weakness that was inherent in a territorial form of government which had no established system such as a constitution gives. The revenues were small and inadequate to the demands. New officials came often, freshly appointed by the president from various states and lacked the local interest and loyalty earlier ones had held or acquired. It was not long before the delegate to Congress was chosen from other towns in every case. Armstrong was the last from Yankton in 1872. It then went to Vermillion, to Sioux Falls, to Fargo to Canton and to Brookings. Governor Newton Edmunds, the successor to Jayne, was the last from Yankton, George H. Hand the only Secretary.

Mr. Hand, one of the most honorable and useful citizens and officers, became a candidate in 1882, with widespread support, for Delegate to Congress to succeed Mr. Pettigrew. It seemed easy for the latter to form a combination in favor of John B. Raymond and nominate him instead of Mr. Hand who was in every respect the more able and useful man, but resided in Yankton and had held office there. That is the strongest illustration that can be given. While there were other causes in each case this was common to all after early days. But the territory was growing rapidly and citizens everywhere in it had a right to equal consideration and they received it.

More and more rapidly the sentiment against the government at the Capital took root and form and it became popular to stand

in opposition to the Governor "who was sent from Washington to govern us" and this was a leading point with many politicians, sometimes to their disadvantage. The Territory could do little through its government, from lack of resources. People came from various states and were disposed to do things as they had managed them back "at home" and all wanted local interests looked after more than the general, public interests. This was all tremendously increased when the northern half and the Black Hills grew stronger and cared little for the remote capital and the burdens upon the Territorial officers.

All these causes culminated in the session of the legislature that organized at Yankton January 9th, 1883. The Territory had begun to rapidly increase in wealth as it had in population. North and South wanted new institutions of learning, charity and correction. As if by common understanding they had sent able representatives to both houses; especially from the more ambitious towns came able men, new chosen, or men of old experience returned. Among these were Geo. H. Walsh, of Grand Forks; F. N. Burdick and D. M. Inman, of Vermillion; E. A. Williams, the Speaker of the House, of Bismarck; J. O'B. Scobey, the President of the Council, from Brookings; S. G. Roberts, from Fargo; Johnson Nickeus, of Jamestown; R. C. McAllister, of Madison and others. Speaker Williams had first settled in Yankton in the practice of law. The strong bar there afforded him small chance and he left with some hostility toward the town. There were other similar cases. Men in other parts could achieve political success and strong leadership at home, if they could not master events in political conventions and legislatures at the Capital. Their name was legion.

The rapid increase in wealth, following the population of the Territory, already had started many inchoate educational, penal and charitable institutions. Men saw that then was the time to locate and secure State institutions for all time. They were there for that purpose. It is probable that this interest was the leading one and out of it was formed the capital removal party by a combination of all. Governor N. G. Ordway was favorable to all these or became so, and was probably the leader in the Capital

removal plan. All soon became apparent and moved forward together.

Capital removal actually began with a bill by Geo. H. Walsh to locate it at Huron. He adhered to this for some time and with it organized opposition to Yankton in South Dakota. Yet nobody really expected it to succeed. Aberdeen was ambitious and saw a chance for the permanent Capital there of the entire Territory as one state. This was the germ of that opposition to division which was manifest in 1885 and later in the northern parts of South Dakota when the latter moved for separate statehood. The Northern Pacific Railroad Company was then a power in North Dakota, far more effective relatively than now. It wanted the Capital upon its line.

Thus, when all was broken up and hostility was created and local interest in future State institutions were ready, and organized, the rest was easy. The Capital removal was the steam roller and organized its power with the local and institutional interests. Then the Commission to locate the Capital was formed, leaving hope in at least a half dozen towns, and all the bills were passed; good faith was shown by all to each. It was a clean sweep, and Bismarck was, after a few side pretenses, the Capital of the Territory of Dakota. Not over three men could or did make much out of it. There was no money in Bismarck then. It was simply a great combination and honest men as well as schemers were in it. The appropriations by that legislature for institutions was \$304,500, all of which was raised by bonds. From that hour the division of the Territory was certain. The good people who were a large majority did not want a great state which would be under the control of a great combination, and they wanted states governed by constitutional limitations, economical and just and both states secured these benefits. The movement to save the school and endowment lands, already before the people and gaining adherents, now rapidly grew in power. Men not deemed politicians before that legislative session actively led the division and statehood cause as a movement for good and economical government. Ministers, educators, lawyers, men of all faiths and parties, business men and good citizens joined in it as a

sacred cause, and all the history of the state testifies to their splendid success. Politicians regained control and office for a time, but were too late for any harm. The constitution had come with its policies and limitations. The reaction against the Capital removal was powerful for permanent good.

THE CAPITAL COMMISSION BILL.

CHAPTER CIV. LAWS OF 1883.

An act to provide for the location of the seat of government of the Territory of Dakota, and for the erection of public buildings thereat:

Be It Enacted by the Legislative Assembly of the Territory of Dakota:

Section 1. The seat of government of the Territory of Dakota is hereby removed from the city of Yankton, in the county of Yankton, and Territory of Dakota, and is located and established as hereinafter provided.

Sec. 2. That Milo W. Scott, Burleigh F. Spaulding, Alexander McKenzie, Charles H. Myers, George A. Mathews, Alexander Hughes, Henry H. DeLong, John P. Belding, M. D. Thompson, be and they are hereby appointed commissioners for the purpose of locating the permanent seat of government and the capitol building of the Territory of Dakota.

Sec. 3. Said commissioners shall, before entering upon the discharge of their duties, enter into bonds in the sum of forty thousand dollars (\$40,000) each, with good and sufficient sureties, to be approved by one of the justices of the Supreme Court, payable to the Territory of Dakota, and conditioned for the faithful performance of their duties under this act, to fully account for all moneys that may come into their hands as such commissioners, and they shall also take and subscribe an oath to fully, faithfully and impartially carry out the provisions of this act, which said oath shall be endorsed on their bond, and the same shall be filed in the office of the Territorial treasurer. If any of the commissioners fail to qualify as provided in this section, within thirty (30)

days after the passage of this act, or should a vacancy occur at any time, the governor shall fill the vacancy by appointment, and the person so appointed shall qualify in the manner provided in this act. After having qualified, and within (30) days after the passage of this act, the commissioners shall meet in the city of Yankton and proceed to organize by electing a President, secretary and treasurer, each of which officers, except the secretary, shall be a member of the commission herein provided for. The treasurer of the board of commissioners shall give a good and sufficient bond, payable to the Territory of Dakota, and conditioned for the faithful performance of the duties of his office; said bond shall be in the sum of one hundred thousand dollars (\$100,000), to be approved as above provided.

Sec. 4. On or before the first day of July, A. D. 1883, the commissioners, or a majority of them, shall select a suitable site for the seat of government of the Territory of Dakota, due regard being had to its accessibility from all portions of the Territory, and its general fitness for a capital, when at least one hundred thousand dollars (\$100,000) shall be paid or guaranteed in money; if the amount be not paid in money, then its payment to the Territory shall be secured by a bond, with good and sufficient sureties payable to the Territory, which bond shall be approved by said commissioners or a majority thereof. And after the site is determined upon as aforesaid, said commissioners shall secure good and sufficient title deeds of at least one hundred and sixty acres of land, upon which the capitol buildings shall be erected, and a sufficient amount of said grounds shall be laid out into squares and suitable landscapes, and the same is hereby declared to be the permanent seat of government of the Territory of Dakota, at which all of the public officers of the Territory shall be kept, and at which all the sessions of the legislature shall hereafter be held.

Sec. 5. The residue of the said one hundred and sixty acres, and any other lands secured by the said commissioners, shall be laid off and staked out into lots, blocks, streets and alleys and public squares, and shall be disposed of as hereinafter provided, for the sole benefit of the Territory of Dakota.

Sec. 6. After said lands shall have been properly surveyed, staked off and laid out, three accurate plats of the same shall be made, showing the blocks, lots, streets, alleys, parks, squares and reservations for public buildings, one of which shall be recorded in the office of register of deeds of the county in which such site is situated, and by him entered in the proper deed book; one of said plats shall be filed in the office of the secretary of the Territory, and the third plat shall be retained by the commission. Said commissioners shall fix a minimum price upon each lot not reserved for public uses, which said price shall be marked upon each lot in said plat. The said commissioners shall then advertise in six daily newspapers published within the Territory of Dakota, that they will upon a day to be therein named, not less than thirty (30) days after the date of the first publication of the notice, offer or cause to be offered for sale to the highest bidder at public sale, each lot not reserved as aforesaid. Said sale shall be held first at or near said capitol grounds, and shall be opened from day to day at ten (10) o'clock A. M., and be kept open for at least five consecutive days, Sundays excepted, and thereafter any remainder of said lots may be sold by said commissioners at public or private sale and at such times and places as said commissioners may decide, and at said sales no lots shall be sold for any sum less than the minimum price marked upon the plat above provided for, nor upon any other terms than for cash in hand.

Sec. 7. Every purchaser of lots shall deposit the purchase money therefor with the commissioners, who shall give a receipt for said money, which receipt shall specify the amount of money and the number of the lot and block for which the money was paid, and which receipt, upon its presentation to the secretary of the Territory, shall entitle the person named therein to a deed in fee simple, absolute, from the Territory of Dakota, to the real estate named in the receipt, which conveyance shall be executed for and in behalf of the Territory by the governor, and attested by the secretary of the Territory, under the seal of said Territory, and said secretary shall file and safely keep all receipts thus presented.

Sec. 8. All moneys received by the commissioners for the sale of lots shall be forthwith deposited by them in the territorial treasury, and said money shall be held by the treasurer as a territorial building fund, and shall be kept by him separate from other funds and be separately accounted for.

Sec. 9. All expenses incurred by the commissioners for a surveyor, at not exceeding five dollars (\$5.) per day and necessary assistance, not exceeding two and one half dollars (\$2.50) per day each, with necessary bills for team hire, advertising, stationery and other necessary expenses, shall be paid by the auditor of the Territory by his warrant upon the territorial building fund upon the certificate of the said commissioners; and the commissioners shall be paid for their services the sum of six dollars (\$6) each for each and every day actually employed, by the warrant of the auditor of the Territory upon the territorial building fund.

Provided, That in the aggregate they shall not receive as compensation more than ten thousand dollars.

Sec. 10. As soon as said commissioners have secured a suitable site, and a building fund of at least one hundred thousand dollars (\$100,000) they shall issue a notice to architects, asking for plans and specifications for a building, the foundations of which shall be of stone, and the superstructure of which shall be of stone, brick, or iron, which shall be suited for the executive offices and the assembly of the two branches of the legislature, which shall be of stone, brick, or iron, which shall be suited for the executive offices and the assembly of the two houses of the legislature, which said building may be designed as a portion of a larger edifice.

Sec. 11. The commissioners shall, from the plans presented, adopt the one best adapted to the wants of the Territory, and shall appoint a competent person to superintend its construction, who shall be paid not exceeding five per cent on the contract price for his services. The commissioners shall then advertise in at least four daily newspapers published in the Territory for one month, for sealed proposals for the erection of said buildings, according to the plans and specifications to be furnished by them.

Sec. 12. The contract shall be let to the lowest and best bidder, and the contractor shall enter into sufficient bonds of not less than double the contract price, with sureties, to be approved

by the commissioners, conditioned for the faithful performance of the contract. The commissioners shall reserve the right to reject any and all bids, if in their judgment they are too high, and may again proceed to advertise for proposals in the manner provided in this act. The commissioners shall, from time to time, upon the requisition of the superintendent, draw through the auditor of the Territory, upon the territorial treasury, for the amount necessary to carry on the construction of the capitol, which said warrants shall be paid out of the territorial building fund.

Provided, That said contractor shall not be paid at any time any sum or amount in excess of eight (8) per cent of the actual value of the work done or material furnished at the time of such payment. The balance due the contractor shall be paid when the building is completed and accepted by the commissioners, and said building shall be completed as soon as practicable as soon as the capitol building provided for in this act is erected and completed, it shall be the duty of said commissioners to report such facts to the governor, who shall thereupon issue his proclamation setting forth the action of the commissioners and declaring said building ready for occupancy; and it shall then be the duty of all the Territorial officers, whose offices are properly kept at the Capital, to remove within thirty (30) days thereafter their several offices, together with the public property, archives, records, books, and papers, to the building and place so declared ready for occupancy, and all sessions of the legislature shall thereafter be convened in the said building at said place.

Sec. 13. The title to all lands secured by the commissioners for the location and erection of capitol buildings shall be conveyed to the Territory of Dakota.

Sec. 14. The said commissioners shall make a full and complete report to the next legislature of all their doings, specifying to whom, for what service or material, and the amount paid to each person, the number of lots sold, to whom, for what amount, to whom and for what amount the contract or contracts were let, together with a copy of all such contracts, and the said commissioners and their sureties shall be held responsible on their bonds for all their acts until the legislature shall order the said bonds to be delivered

up to the said commissioners. No member of said board of commissioners shall purchase or in any other manner acquire any real estate or interest therein, directly or indirectly, within ten (10) miles of the site selected for a capitol within one year from the passage of this act, nor shall he be interested directly or indirectly in any contract made under the provisions of this act.

Sec. 15. Any violation of section 14 of this act by any of the commissioners shall work a forfeiture of his official bond, and he shall be deemed to have committed a felony, and upon conviction thereof shall be punished by imprisonment in the territorial penitentiary not exceeding three years.

Sec. 16. Until the territorial capitol building shall be ready for occupancy as provided by this act, the territorial officers shall temporarily keep their offices, archives, books, records and papers at the city of Yankton, unless the governor shall designate some other place by written order, in which case the said officers shall remove their respective offices, together with the archives, books, records and papers pertaining thereto to the place so designated within the time prescribed in such order.

Sec. 17. Chapter one of the Political Code, and all acts or parts of acts in any manner in conflict with this act or repugnant thereto are hereby repealed.

Sec. 18. This act shall take effect and be in force from and after its passage and approval.

Approved, March 8, 1883.

THE TOUR OF THE CAPITOL COMMISSION

BY RALPH W. WHELOCK, SECRETARY.

One day late in the month of April, 1883, while I was quietly pursuing the humble but congenial avocation of editor of the Mitchell Capital and right in the midst of the commotion which had followed the creation of the Capital Commission and the revelation of its well laid plan to remove the territorial seat of government from Yankton, I was surprised beyond measure to receive a telegram from Capt. Alex. Hughes, at Yankton, notifying me of my selection as secretary of the commission, of which

he had been made chairman, and requesting me to meet that body at Canton on May 1st.

There was nothing to do but to accept, as I had but recently come from Ohio and it was contrary to all precedent to decline an office, particularly one carrying the alluring compensation of \$6 per day and expenses; especially as at that time I could not foresee the legal complications which made it impossible to realize even on the expense item until the legislature of four years later had legalized the bonds that were issued by the commission to cover the cost of its operations.

Little was done at the meeting in Canton but to entertain invitations to visit every town of any importance in Dakota Territory, except Chamberlain, and survey their respective claims to be constituted the new seat of government. An itinerary was mapped out, a special train was arranged for, and on May 2nd the start in the historic swing around the circle was made by visiting Mitchell, where two days were spent in inspection and entertainment.

At that time there was no railroad up the James river valley, and it was necessary to reach the north half of the Territory by way of St. Paul, where the commission spent two days and then left Aberdeen, which was reached on the morning of May 7th, and which offered a choice of building sites, followed by generous social entertainment. The journey was then resumed to the famous town of Ordway, situated just south of the 46th parallel, named in honor of the late Governor Nehemiah Ordway, and supposed by everybody familiar with the inside workings of the Capital removal scheme to be its original inspiration as well as the ultimate point of location, thus insuring the admission of the territory as one state. But the best laid plans oftentimes fail to materialize, and the overeagerness of certain real estate speculators from Sioux Falls and Chicago in pushing their bold plans attracted the attention of the newspapers in and out of Dakota, and as a result the town of Ordway was marked off the list of possibilities almost before the commissioners' special train had started for Frankfort, in Spink county, on the morning of the 8th. Much the same program of entertainment was followed at both Frankfort and Redfield,

the latter the home of C. H. Myers, one of the members of the commission.

Then followed visits to Huron and Pierre, afterward to become fierce rivals for Capital honors in the south state, even then eyeing each other most jealously. Both towns entertained most lavishly and each impressed the visiting party with its enterprise and earnestness in its bid for the seat of government. This finished the first half of the tour of inspection and as can well be imagined the whole territory was by this time aroused to a high pitch of excitement. The people of Yankton had taken the matter of the creation of the commission into the courts and one of the enlivening features of the trip was the serving of papers in quo warranto proceedings on the several members as ubiquitous deputy sheriffs might happen to lay hands on them.

On May 15th the capital commission held its second business session at Canton where the following bids for the location were opened, certified checks accompanying each offer:

Mitchell, \$160,000 and 160 acres of land.

Huron, \$100,000 and 160 acres.

Ordway, \$100,000 and 320 acres.

Aberdeen, \$100,000 and 160 acres.

Pierre, \$100,000 and 250 acres.

Bismarck, \$100,000 and 320 acres.

Redfield, \$100,000 and 240 acres.

Canton, \$100,000 and 160 acres.

Odessa, on Devils Lake, \$200,000 and 160 acres.

Steele, \$100,000 and 160 acres.

Frankfort, \$100,000 and 160 acres.

Several of these offers were made largely as a matter of advertising the wideawake towns behind them, but taking into account of the spirit of the times—for there was nothing laggard in the movements of the Dakota boomers of the early '80s—there is no question that any one of the dozen places on the list could and would have made absolutely good on its offer, if opportunity demanded.

Five days later a start was made from St. Paul for the aspiring candidates of the north half of the territory, and it looked at

that time as if the situation were gradually centering on Bismarck, although Huron was still a possibility and Pierre was not wholly out of the running. Odessa was the first town inspected, and as it comprised nothing but open prairie and townsite blue prints, not much time was wasted there. The return trip included short stops at Grand Forks and Fargo, from which latter point the journey to Bismarck was taken up, Jamestown and Steele being touched en route, with the usual entertainment.

It was plain to be seen when Bismarck was reached that there was something really doing in the location line, with Alex. McKenzie and Alex. Hughes both on the job, and when the commissioners returned to Fargo on June 1st those on the inside were prepared for what happened. The session of the commission was executive but what took place therein was not long in reaching the public. Several ballots were taken, more for appearances than anything else as it turned out, with Commissioner Geo. A. Mathews of Brookings voting steadily for Huron, C. H. Myers of Redfield and B. F. Spalding of Fargo standing for Redfield, M. D. Thompson of Vermillion sticking for Mitchell, and Hughes, McKenzie, Dr. Scott of Grand Forks, Capt. Belding of the Black Hills and H. H. DeLong of Canton scattering more or less but eventually settling down on Bismarck, according to the frameup. On Saturday, June 2, at 10 o'clock the final vote was taken, resulting in the choice of Bismarck by five votes, a bare majority of the commission. Exactly one month had been devoted to this unique enterprise of selling a seat of state government to the highest bidder, and as the members of the commission returned to their homes for a period of rest before taking up the more prosaic duties of erecting a capitol building, the now thoroughly aroused citizens of Yankton renewed their legal attack on the whole scheme so vigorously that the anticipated real estate boom in Bismarck flattened out inside of a week.

A Capitol structure was erected, however, in time for the legislative session of 1885, and the acts and expenditures of the commission were ultimately ratified and approved so that when the Dakotas were admitted to statehood in 1889, there was no cloud on the title of Bismarck as the permanent seat of government of the new North state.

CAPITOL COMMISSION CORRESPONDENCE.

WRITTEN BY RALPH W. WHEELOCK AND PUBLISHED IN THE
MITCHELL CAPITAL, 1883.

Aberdeen, Dakota, May 7, 1883. Here we are at the first "official" stopping place of the commission, having arrived from St. Paul in time for breakfast this morning, and now ready to start for the far-famed and much-talked-of Ordway, a few miles north.

The commissioners left Mitchell after the very elegant reception tendered them by Mr. and Mrs. Cook, at midnight Thursday, feeling that in spite of the beastly weather it had been good for them to be there. There was but a single expression, and that a sincere one, as to the hospitable manner in which they had been received, the fine quality of the society which they had enjoyed, and the many points of enterprise which the town showed. Whether Mitchell secures the Capital or not, by her reception of the all but unexpected visitors, and her easy, graceful and hospitable entertainment of them she had demonstrated her right to be considered the social as well as the mercantile metropolis of southern Dakota. And right here let me say a word for the big-hearted, enterprising Joe Davenport, who shouldered his full share of the responsibility in a manner reflecting great credit on himself, the Alex. Mitchell hotel and the town.

Besides the commissioners the special car bore out of Mitchell S. F. Goodykoontz of the First National, L. G. Johnson of Ordway and representatives of the Pioneer Press and Sioux City Journal, while at Canton the party was augmented by Messrs. F. A. Gale of the First National bank, A. R. Brown, O. N. Russell, both bankers and Editor Nash of the News. At Austin, Minnesota, General Lawler and John D. took the train for St. Paul, which was reached at supper time Friday.

The Merchants hotel was made headquarters for the party, and the time was put in in general sightseeing at St. Paul and Minneapolis until 3 p. m. Sunday. A number of prominent North Dakota politicians were met here, among them George W. Walsh of Grand Forks and Editor Murphy of the Plaindealer of that

place. The Sioux City train Sunday brought in a material addition to the party in the person of Captain Wagner of Bon Homme, accompanied by Mr. Johnson of the Sioux City Journal, and at 3 o'clock in the afternoon Superintendent Prior of the C. M. & S. Paul road placed his special car at the disposal of the commissioners as far as Aberdeen, accompanying the party himself and doing everything in his power to make the trip a thoroughly enjoyable one.

Aberdeen's citizens did the honors to the visitors in fine style, entertaining them at the Sherman House, a large three-story frame hotel, and driving them around the town, to take in her special advantages as a Capital location. She certainly offers a fine site in two directions, one west of the town, and one south between the Milwaukee and the Northwestern tracks. The town is perhaps two-thirds the size of Mitchell, and is growing so rapidly as to make one feel perfectly at home amid her fast rising frames and the incessant clatter of the hammer and saw. Her importance as a railroad center is almost assured, and the surrounding country makes certain a strong agricultural support. Before the commission left for Ordway, representatives of the town addressed the members on her advantages, and assured them of her support and confidence. As I write the train is whirling towards Ordway, and Commissioner McKenzie is delivering a lecture to an interested audience on gophers, prairie dogs and things.

Ordway, 4 p. m. A ride of half an hour through the finest country the sun ever shone on brought us to Ordway, around which centers so much interest just at this time. Here the citizens turned out en masse to do the honors, which they did in a manner befitting a much larger town. An elegant dinner was served at the Occidental hotel, and the afternoon has been spent in viewing the proposed location. Right here let me observe, with all loyalty to our own fair town, that if beauty of site alone is to determine the location of Dakota's capitol, Ordway has a marked advantage, by common consent, over any other competing point. She lies on a high table-land, 20 feet above the Elm river, which environs her on two sides, and has the site for a city of

50,000 people. The Northwestern railroad runs through here, while the Milwaukee is only three miles away, and the enthusiastic citizens claim that the town is bound to be the railroad center of this section if—the Capital comes here. Tonight a reception is to be tendered to the visitors; tomorrow morning a start is to be made for Redfield and Frankfort, Spink county, and on Wednesday, Huron-on-the-Jim will be reached; thence the commission go to Pierre, and returning will arrange to meet at Canton on the 15th.

While the utmost courtesy has been extended the party on every hand, it is difficult to imagine how the tour could have been made so easily and with so little trouble, had it not been for the indefatigable Mr. Van Epps. Since leaving Canton he has superintended all the details of the trip, and has left nothing undone that would add to the comfort of the travelers. Quietly and without any flourish he has moved special trains, provided for meals along the line out of hours, insured close connection enroute, and assumed responsibility generally. Van is a born railroad manager.

By the way, I know, of course right where the capital is going, but I can't possibly "give it away." This much for the benefit of inquiring friends who are after "pointers," of which I have a full assortment in my gripsack.

Ordway, May 8. It may be thought that I was unduly enthusiastic in my last letter over the "beauties" of this place, but I can't take it back, especially after attending the elegant reception which was given in the evening to the visitors. Some speech-making was indulged in, mostly by Elder Cressey of the Huron Leader, who got the audience in good humor by his facetious remarks and then paralyzed them by a proposition to come here and start a capitol daily. And right here let me say that I have discovered a deep-laid scheme on the part of this man Cressey to make himself solid as state printer, the details of which I dare not divulge at present. I have set to work to defeat his infamous designs, however, and with the help of a little incident at Ordway, I think I shall succeed. Now, Cressey has the appearance of piety and stern solemnity, but he is the "most desavin" old party that ever pushed a pen or carried a pass. He makes pretensions as a temperance man, but while at Ordway the "evil one" led him up

on the Capital site, and prevailed on him to "take a glass" that he might better judge the advantages of the town and its vicinity. He took it, tipped it up, and after looking through it vowed he could see the town through it six miles in every direction. If that don't knock the underpinning from his temperance record, nothing I can tell on him will. In his attentions to the ladies, also, he has fairly crowded the eligible single gentlemen into the background. But Cressey is an almighty good newspaper man, and has furnished the fairest, best and spiciest account of the proceedings of the commissioners to his daily Leader of any paper in or out of Dakota ever since that body took its railroad ride through Yankton.

An early breakfast this morning prepared the party for a spin in Superintendent Nicholl's special train over the Northwestern to Frankfort, in Spink county, the next aspirant on the list.

Frankfort, May 8. Here was found a town nearly the size of Mt. Vernon, which was only laid out last November. It has a fine location, is solidly built as far as it has gone, and has a class of people who possess both determination and capital necessary to make it one of the best towns in the magnificent valley of the James. The ladies had prepared a dinner, rich and varied in its menu, in an upper hall, while in the parlor of the bank was set out less substantial refreshment. It had been arranged to combine the two, but the women of Frankfort stood by their temperance principles, and would not countenance the wine and cigars on their tables; there was no ill-feeling but the ladies asserted themselves after this wise to their spouses: "You can entertain your friends as you please downstairs; we have gotten up this dinner and propose to serve it in our own way." Of course that settled it.

Frankfort showed two desirable Capital locations, and rumor has it she can back them as stoutly as any one of the bidders; and if her means equal her enterprise and hospitality, I don't doubt it a bit. After the usual ride in procession through the town, during which several narrow escapes from accident were had by reason of certain members of the commission trying to crowd the secretary out of his position just behind the leader, the train put out for Redfield, the banner temperance town in Spink county, and another bidder for favor.

Redfield, p. m. This, being the home of Commissioner Myers, had a double reason for exercising its hospitality, and it certainly did itself proud. It is a town nearly as large as Mitchell was a year ago, and resembling it very much in some respects. The capital site here is on an imposing knoll on the edge of the town and overlooking a magnificent stretch of country. The customary ride was taken, and the usual reception was given in the evening, in the high school building, a handsome \$6,000 structure. There the program was varied by a unique performance, which gave the people of Redfield an exceptional opportunity to see the commissioners in all their massive grandeur and aggregated intellectuality of countenance. Mr. Myers was evidently anxious to show his constituents in what distinguished company he was traveling, so he stood his fellow members in a row on the stage, Baron McKenzie, who measures six feet four in his boots at the head, Captain Belding, "a tall man wid whiskers on the chin av him" next and the other seven arranged according to their inches. It was an imposing sight, and one about which coming generations in Redfield will hear in enthusiastic terms from their parents and grandparents who gazed on it that night. But, gentle reader, the worst is yet to be told. Ye who know the native modesty, the retiring bashfulness, the insurmountable diffidence of the Capital representative on this trip can imagine his feelings when he was seized by two of the "infamous nine" dragged out of a secluded corner, where he was pledging his influence to a group of capitalists to locate the Capital at Redfield, and planted alone on the stage in his official capacity! It was simply paralyzing, and had it not been for the kindly services of Deacon Miles of the Redfield Journal and good old Father Cressey, who made a stretcher of lead pencils, "our secretary" could never have reached the banquet hall in time to get in his fourth meal for the day. I have sworn to be revenged, however, by giving away every Capital secret that my employers entrust to me.

Another struggle with slumber in the sleeper, and an early start for Huron, closed the Redfield racket.

✧ Huron, May 9. I had to call on the porter to help me to hold my breath this morning when I looked out of the car window

and saw what a bustling place our rival is. It is booming (if the term is permissible in this western country) and while it has not very many substantial business buildings, it is compactly put together, and its residences inside and out, surpass anything I have yet seen in Dakota. Still there is a feverish atmosphere about the place, and its rapid growth reminds me of the swift, uncertain motion of a steam engine when the governor belt has snapped. Town additions are laid out in every direction and the certainty of the average Huronite as to the future of his town is only limited by his imagination. I took closer observations here than at any other point, and I want to do the fair thing by our enterprising sister up the valley, but I can't repress a feeling that she is working under too high pressure, unless, of course, she secures the seat of government. In that event, I shall at once transfer my affections to her; for I am satisfied my conscience would not permit me to stay in Mitchell, in whose interest I am now sworn to labor and to die, if necessary, so long as my per diem lasts.

The Wright House was the headquarters of the party here, and though overcrowded with its regular business, it took the best of care of its extra guests. The day was rainy and as the procession wended its way out to the southwest of town to view the offered site, my thoughts reverted to the unpropitious weather in which Mitchell was officially seen, and I tried to grin and bear the discomfort. Whatever her other advantages, Huron didn't get the start of our town in weather. We stand on the same ground, or rather in the same mud, in that respect. The location is quite a distance from the business center and has no rise to speak of. As one of the party expressed it, were the site a little further west and south, it might serve as a compromise point for Huron, Mitchell and Pierre. There is another site, however, which can be utilized and which is located to better advantage, just south of town. In the evening a brilliant reception was given the visitors at the elegant home of T. J. Nicholl, late superintendent of the Dakota Central, where the cream of Huron society was present. Then followed the quarterly stop for refreshments at the Wright House, where the discussion of a rich bill of fare

was supplemented by a number of impromptu toasts. Captain Hughes, who has been the spokesman of the commission, made a happy speech, and Captain Belding came to the front for the first time in a few remarks that entitled him to the reputation of a most felicitous after-dinner speaker. He was not only witty but brief. As a prophet is not without honor save in his own bailiwick, Uncle Cressey was not allowed to talk much at his own home, though it became almost necessary to have Captain Wagner (weight 310) sit on him to keep him from getting the floor before his turn. He made a good talk, however, and gave the commission more taffy on the state printer contract. Messrs. Johnson, of the Sioux City Journal, and Hildebrand, of the Pioneer Press, were called out, and both gave the commissioners strong certificates of good character and honest intention. Deacon Shannon, formerly of the Huronite, but now fallen from grace, and engaged in real estate at Wessington, started the corks out of the champagne bottles by rising to his feet and proclaiming that he could not tell a lie. From Mark Twain's standpoint of exaggeration his was the funniest speech of the occasion. Attorney Melville, one of the most active members of the reception committee, made a genuine exhibition of eloquence, and claimed to voice the sentiment of his town when he said that wherever the capital went Huron would believe that the commission acted in good faith, and with a view to the best interests of the territory. In fact, this sentiment has been uttered at every point that has been visited, but methinks it will require an unheard of amount of Christian fortitude for about nine disappointed towns to stick to their text, when the decision is finally made. The banquet closed at the orthodox hour of 1 a. m. and the party retired to await in the arms of Morpheus a summons to early breakfast and then on to Pierre on the Missouri, which aspires to rank alongside of London on the Nile, Paris on the Thames, Nile on the Euphrates, or Huron on the—confound that cup of tea, it has demoralized my geography entirely.

x Pierre, May 10. A delightful morning ride past the marvelously growing towns at intervals of twelve miles west of Huron, with a short stop at Dogtown, brought the travelers into Pierre

at 11 a. m. They were accompanied by Superintendent Nicholl and his wife, Mr. and Mrs. John Fiske, Mrs. G. B. Armstrong, Mrs. Campbell and Miss Duffield, and Mayor Nash, Chief Justice Elson, Dr. Burch and Mr. Kelly of Huron and also Miss Cynthia Eloise Cleveland, the only female lawyer in Dakota, and Major Ledwich, a courtly gentleman of the old school, the two last named being residents of Pierre. The presence of the ladies in the party toned down the almost boisterous hilarity which the commissioners and their friends had been wont to indulge in on the trip, and it only needed the presence of Chaplain Johnson of Ordway to render the ride as quiet and solemn as a grand funeral march. The gloom at times was almost depressing and was rendered still more somber by some of Cressey's jokes. But as we neared the picturesque scenery that marked the approach to Pierre, and saw the stars and stripes floating in the breeze on Capitol hill, and were thrilled by the soul stirring music of the military band from Fort Sully and heard the cheery voice of Bullard, of the Northwestern (who had finally got on the band wagon) announcing that dinner would be ready at Mr. Stebbin's tavern in an hour and a quarter, our spirits rose, and we even smiled when Cressey observed that it "apPierred as though they were expecting us."

Pierre is a unique town, larger in her mind and in her hopes than in reality, but really having a glorious future, capital or no capital. Her business portion is laid out on the flat extending along the river, while the residence property slopes up to the north gradually and gracefully, the capital site being a lovely and imposing spot, commanding a view of scenery at once rugged and picturesque, or calm and restful, as one's eyes may happen to wander, and affording a location for a building that could be seen for miles around. Everything is platted here except the river bottom and that doesn't remain stationary long enough to give the surveyors a chance. Pierre has more of the characteristics of a frontier town than any point which was visited, but this is more than offset by a progressive business element and a refined society that will eventually redeem it of all rough features. A cowboy was shot in the streets by the marshal, while making a target of the latter, yesterday, much to the disappointment of the commit-

tee on entertainment who had hoped to reserve the performance until our arrival. Indeed, the only tragedy which varied our enjoyment was that on the gumbo hills across the river, of which more anon.

After the tour of inspection and dinner the steam ferry was invaded and an hour or two spent on the placid bosom of the Muddy Missouri, chanking peanuts, getting stuck on sand bars and viewing the scenery along shore (including several pigeon toed, round shouldered, hangdog looking noble red men and squaws whose aversion to water was our only protection against an attack,) all to the thrilling strains of the band, varied by the shrill shriek of the whistle or the luxurious oath of the pilot whenever a sand-bar was struck. A landing was made at quaint old Fort Pierre, who from her gumbo throne has seen her pristine glory depart and settle down across the river. Speaking of gumbo, it is more treacherous than a woman's smile, as unsubstantial as a politician's promise, and as uncertain as the location of the Capital. Led on by that gay deceiver and throughbred Kentucky gentleman, Major Ledwich, sah, the party essayed to climb a gumbo hill. There had been a rain on it about a year ago, but the gumbo looked fair underfoot, and its crisp, dry surface seemed to invite a merry run to the top. Alas, how everything is not what it seems in this world of sin and sorrow, of Yankton and Chamberlain. We made a bold start, the treacherous crust stood firm until we got fairly aboard and then turned loose in all its gumboic, satanic, diabolic depravity. Imagine yourself standing on a chunk of wet soap at the edge of Hades and you may have a faint conception of the sensation as we tried to move; to go ahead was impossible, to back out was more so, to sit down would have been slow death, to stand up was living torture. Wail after wail rent the air, in fact a perfectly symphony of agony went up to the bright, mocking skies above. Our feet stuck in the vile stuff long enough to raise our hopes that we might take a step forward, and then began to slide slowly one way and another, and it seemed as though the very earth was slipping out into eternity. But we wiggled and squirmed and struggled and shrieked our way once

more to terra firma, and it cost 50 cents all around to get the sleeping car porter to clean the shoes of the adventures. Capt. Wagner hired a mule team to do the breaking on his. Several of the party who yearned to take some sort of a relic from Fort Pierre came away perfectly satisfied with that they got.

In spite of this experience, everybody got around in time to be handsomely entertained at the home of Mrs. V. E. Prentiss in the evening, from whence they went to the Northwestern hotel and sat down to a banquet, fairly metropolitan in the elegance and variety of its bill of fare, and followed by a set programme of speeches, more or less appropriate to the occasion. It was the first banquet on the trip where the ladies were invited, and enlivened as it was by the presence of such society leaders as Mrs. Col. Ordway, Mrs. Williams, Mrs. Prentiss and others of Pierre, and the Huron delegation with Mrs. Capt. Hughes as the particular guest, it was the one longest to be remembered by all present. Another night in the car, a forenoon of individual sight seeing in Pierre, and a quick ride to Huron, ends the expedition. The Commissioners will leave tonight for St. Paul, and thence to Canton, where another reception is waiting them. The subscriber will take Peck's new stage line in the morning and return to Mitchell to spend Sunday in the bosom of his—that is to say; in the sacred precincts of "Bachelor's Rest."

POINTS PERTINENT AND IMPERTINENT.

Dr. Scott, of Grand Forks, is a true philosopher. On the way to Pierre his new \$5 felt hat blew off the platform and went bowling over the prairie. Did he plunge headlong from the train to catch it? Never a bit. He located the quarter section on which it stopped, telegraphed back at the next station to have it corraled, borrowed the best hat in the party of the Secretary, and enjoyed himself under it until his return, when his lost tile was handed him, having been picked up by a section hand.

It is pitiful to compare the childish whine of the Yankton papers with the manly, independent sentiment of the Territory at large, which says to the Commission, "we are satisfied you will do your work honestly and honorably."

The temporary correspondent on the wing of the Pioneer Press made a bad break from Ordway, when he settled so confidently that the syndicate, the railroads and the Commission had agreed on that as a compromise point. It is my candid opinion, given without fear or favor, that of all of the towns visited Aberdeen is the best, Ordway is the best, Redfield is the best, Huron is the best, Pierre is the best, each and every one having a central location, and unexampled railroad facilities and an unsurpassable site for a capital building. And over and above all, Mitchell looms and towers, even as Baron McKenzie outsizes the trim built Thompson or the dapper DeLong.

Aberdeen's artesian well is a marvel. It has spasms occasionally when it casts out volumes of mud and stone from a four inch pipe a distance of twenty feet.

Canton's entertainment of the Commission was as hospitable as that at any point. Her proposed capital site is one of the prettiest in the lot, and were she located nearer the interior would make her a formidable rival.

The James River Valley is the grandest section of Dakota, take it at any point you will, from bustling energetic Jamestown to misguided, clique-cursed Yankton.

Canton, May 15th. Today has been the most eventful thus far in the history of the most important transaction in Dakota's young career. High noon was the time set for the opening of the bids, which by the introduction of several North Dakota aspirants, unnumbered eleven when President Hughes called the Commission to order. The hall was filled with an anxious and deeply interested crowd, and as the seal of each successive proposal was broken a feather could have been heard to drop. The bids as telegraphed you today were as follows:

Mitchell, \$160,000 and 160 acres.

Huron, \$100,000 and 160 acres.

Ordway, \$100,000 and 320 acres, and 160 for railroad grounds.

Aberdeen, \$100,000 and 160 acres.

Pierre, \$100,000 and 250 acres.

Bismarck, \$100,000 and 320 acres.

Redfield, \$100,000 and 240 acres.

Canton, \$100,000 and 160 acres.

Odessa, \$200,000 and 160 acres, certified check for full amount accompanying the proposal.

Steele, \$100,000 and 160 acres, also with full check.

Frankfort, \$100,000 and 160 acres.

Mitchell's show down rather took the other competitors by surprise, and when Bismarck accompanied her donation with a written guarantee that her 160 acres would bring \$300,000 there was another subdued expression of surprise. Ordway's standard cash offer was swelled measurably by the terms of the land gift of 320 acres for capital grounds, and another quarter to give depot and yard facilities to her prospective railroads. Pierre's cash bid was below expectation as was Huron's, while North Dakota came to the front in characteristic style with certified checks for \$200,000 and \$100,000 respectively from Odessa and Steele. The other towns showed up in good style, and whether their offers accomplish any more, they assure the world at large that Dakota towns are well worthy the reputation their push and grit have gained. The unknown bid, referred to heretofore, was a hoax offering \$1,000,000 in the name of Sioux City. Wessington, Beadle county, put in an informal proposition that gave her a good "ad."

At 3 o'clock opportunity was given the representatives of the several towns to enlarge on their localities and they responded largely and to the point. Each point was set out in all its manifold advantages, and while local ambition wrecked all the established traditions of latitude, and longitude, and the introduction of North Dakota bids in dead earnest totally demoralized the 46th. parallel theory of location, the speeches were marked by force, logic and fairness towards rival points. Aberdeen animadverted slightly on the claims of Ordway and Huron took direct issue with Pierre's pretensions, recognizing that place as her only possible rival. Mitchell was fortunate in having her case presented by Hon. Hiram Barber, whose speech was at once forcible, logical and stoutly loyal to the commercial interests of Dakota. He took the position that to establish the capital at Mitchell would secure to Southern Dakota a commercial center of vast importance,

while to place the seat of government away to the north would serve to build up a metropolis for this section at some point outside the territory. His arguments were generally admitted to be as convincing and as well put as any to which the Commission has listened. A. B. Melville, Esq., made a masterly speech in behalf of Huron and W. S. Wells stood up for Pierre's advantages of site, location and railroad possibilities in a style that was marked more for square-toed logic and directness, than for rhetorical flourish. Bonanza Steele, however, sent his namesake off in a manner that took the entire bakery, pans and all. But what inspiration couldn't a man feel and be funny who can draw his certified check for \$100,000 and still have a little left in the locker for a rainy day. Odessa had no representative, evidently thinking that her money \$200,000 in spot cash, could talk loudly enough.

After the talking was finished the Commission adjourned to meet at the call of the President. The members separate tonight to meet in St. Paul and go on their tour of inspection throughout North Dakota. I had almost forgotten to mention that High Sheriff Patrick Brennan, of Yankton county, was in town this morning and served the quo warranto papers on the Commissioners whom he overlooked before, Scott and Spaulding.

May 20th. St. Paul. It is a positive relief to get among people once more who don't talk you to death about the capital, and I am enjoying that relief today, among the Commissioners. They are of the very few people in or out of Dakota who don't discuss the subject yet. Taking one consideration with another, a Commissioner's lot is not a happy one, if he tries to shape his course by the criticisms of the opponents of the measure that created him. For instance:

When the Commissioners organized on the fly through Yankton they were accused of avoiding officers of the law; when the other day at Canton they rode boldly by special car into the arms of High Sheriff Patrick Brennan, bedad, of Yankton County (armed with quo warranto writs,) it was said their guilty consciences drove them to give themselves up to arrest.

When it was first understood by the public that bids would not be received after May 1, the cry came up that it was a put up job to shut out competition; and when the Commissioners extended the time, another howl arose to the effect that the later competing towns would have an advantage over the others.

Because the Commissioners propose to visit all towns alike some say they are doing their best to swell their per diem returns; were they to do otherwise and neglect any aspiring point, it could be justly charged that there was a cut and dried scheme.

Another heinous offense is that the visiting statesmen allow the towns which they inspect to entertain them to the extent of "feeding and sleeping" them; yet were hotel bills added to the other expenses of the Commission a hue and cry would rend the air over the extravagance of the trip, and certain economists, like the Press and Dakotan, would insist that a telephonic or telegraphic inspection of the various points would be sufficient.

Because the several members keep their own counsel is stoutest evidence to some that they are parties to a plot; were they to talk freely of their plans and divulge every detail these same critics would point to that as evidence that they were trying to mislead the public as to their real designs.

So, as before remarked, the Commissioner's lot would not be a happy one, were he to shape his course by adverse criticism. Happily he is a man of brains and independence, and don't try. It would be difficult to get together nine men of greater independence, finer determination and wiser discretion than these same capital Commissioners.

During my recent short stay in Mitchell I unloaded myself pretty generally of information on this location question, and as I went to the train Friday night it occurred to me that it was a severe task to assume a wisdom I do not possess. It is a positive fact that I know less about this perplexing question than I did a month ago., yet since leaving home one or two points have occurred to me:

The capital will go to one of four points: Mitchell, Pierre, Ordway, or Bismarck, considering them in the order of their

locality and size of their bids, and not from any pointers I may have received.

Barring possibly Pierre, Mitchell has nothing to fear if either of the towns mentioned succeeds, while if Bismarck is the lucky point, our town will receive the direct benefit of a southeast through line from the capital to Yankton and Sioux City.

If Mitchell be not chosen there is no cause for discouragement. Let half the energy and enterprise be displayed to secure her manufactories and wholesale houses that have been devoted to putting salt on the tail of the capital bird, and she can win her lasting right to the title of the metropolis of Southeastern Dakota. And right here is a good place to point out one of the most serious drawbacks to Mitchell's prosperity—personal quarrels that have been nursed and aggravated until they enter into every phase of business and social life. It may not be in good taste to drag the skeleton in our closet into public view, but I do it in the hope that while it is out it may be eternally smashed. Until it is, and there is a broad, generous union of effort to build up the town, Mitchell can never hope to be the commercial center which her location and railroad prospects render possible. The Capital has striven for harmony by refusing to be driven or drawn into certain of their disgraceful squabbles, until its loyalty to its friends has almost been questioned, and its self respect all but seriously compromised; but I have felt that the endeavor to conduct a clean, fair, unbiased newspaper, one that would not convey to the outside world the impression that the interests of Mitchell and Davison county were in the hands of worse than thieves and robbers, would in the end be appreciated. From men whose line of action has no higher motive than personal gratification, who would rather satisfy a petty revenge for fancied injury than contribute to the progress of the town, I expect no consideration, but I am confident that the sober, second thought of the community at large will sustain this course, and give me credit for honesty and sincerity of purpose, under circumstances more or less embarrassing.

But I have digressed too far. The party which has been augmented by Mrs. DeLong, and Mr. and Mrs. Nash of Canton, Mr. and Mrs. Cook of Mitchell, Editor Mallalian of Elk Point and the wives of Commissioners Myers, Matthews and Spaulding, and Mrs. E. T. Cressey of Huron, leaves this evening over the Northern Pacific for Bismarck.

Grand Forks. May 21. After mailing the foregoing from St. Paul the plans of the party were changed to the extent of going to that profane section of Dakota where ambitious Odessa lies. A special train made up of a dining car, the magnificent new drawing room sleeper "National Park" used for the first time, and the Superintendent's car pulled out of the Union Depot over the Northern Pacific at 7:30 last evening having on board beside the party already mentioned, Hon. and Mrs. J. C. Burrows of Michigan, Messrs. Harvey of Ramsey county, Wagner of Fisher's Landing, a connection of Capt. Hughes, Capt. Carney of Deadwood, Mr. and Mrs. E. T. Cressey and Mrs. G. A. Cressey of Huron, and that thoroughbred Dakotaian and prince of good fellows, Col. Steele, of the booming town that bears his name.

At Fargo which was reached early this morning, Commissioners Pratt and Spaulding were picked up, and Statesmen Jud La Moure and John Haggart and D. F. Tallant of Grand Forks, caught on. There seems to be a strong attraction in special trains and free entertainment along the line that will prevent the Commissioners from feeling at all lonesome on his trip.

The citizens of Grand Forks were not looking for company until tomorrow, but they did the honors most hospitably and the party were given the best the city had. The elegant new club rooms were thrown open and after an hour or two there, dinner was served at the Griggs house, which every South Dakotan who took in the Territorial Convention last fall well remembers. Grand Forks, by the way, has grown marvelously in the past six months, and solid, substantial brick blocks are taking the place of the row of frames that were wiped out by the fire last December. The Syndicate block, a three story structure of pressed brick, is well under way and will be a handsome addition to the town.

The special leaves for Barlett at 4:30 o'clock and from there we will drive some fifteen miles to the famous Odessa, which exists now only on paper and in the imagination of its projectors. If I get back in time tomorrow I will send in a brief description of the place and its surroundings.

Bound for Bismarck. Wednesday, 6:30 A. M. Seventy miles due west of Grand Forks, on the Manitoba road, lies the bustling town of Bartlett at the end of the line. Less than five months old, and once nearly destroyed by fire, she comes nearer one's ideal of a frontier town than any point thus far visited; and yet even Bartlett doesn't succeed in being so thoroughly depraved as her half dozen concert saloons and gambling rooms in full blast day and night would indicate. She had wild expectations when the railroad reached her, and town lots sold all the way from \$300 to \$600. But one day Jim Hill of the Manitoba called on her, and for some grievance, real or fancied, against the town site men announced his determination to pull up his side tracks and move his station from her limits. This stopped the boom, and together with the fire of two weeks ago, has checked her growth.

The wonderful town of Odessa is twelve miles from Bartlett and, fitted out with a number of fine rigs belonging to the capitalists who have started the embryo metropolis of the Devil's Lake country, the party enjoyed the ride across the country immensely yesterday forenoon. The much talked of Devil's Lake country shows nothing marvelous, but is picturesque and so far unsurveyed, tho settlers are coming into it rapidly. The lake itself is a charming inland gem, slightly touched with alkali, and is thirty miles long to anywhere from a half to three miles wide. It is skirted by trees, and the scenery is weird and rugged enough in some directions to warrant the profanity of its title. Already several towns are perched on its bluffs, at various points, Creel city, near which the Ward tragedy occurred, and Minnewaukan, being located near the upper end.

The site of Odessa and its name and its plats on paper, with half dozen scattered buildings, constitute the town at this time, but it has hopes of which its cash \$200,000 bid for the capital are an indication. It is backed by a powerful syndicate, (that

is the correct word to use in this section in referring to any combination of capitalists, whether their stock be \$1000 or \$1,000,000) of Grand Forks boomers, with a few outsiders, and whether it ever gets the railroads it hopes for, and attains the size it is now banking on, it will some day be one of the loveliest and most popular summer resorts in the northwest. What it looks for now is the crossing of either the Northern Pacific or Manitoba lines, in some of their wanderings and it claims the most accessible point on the entire lake for such crossing. The capital site at Odessa is a fine one, and it is a general sentiment that this would be just the spot for North Dakota's seat of government.

St. Paul. May 28. Thus far on the way home I shall try to take up the story of the Capital "swing around the circle" where I laid it down last week, after the trip to Odessa. Just what should give the Devil's Lake country importance beyond all other localities in this marvelous northwest, is not easy to see, even after viewing it under the most favorable conditions, yet there is no gainsaying the fact that it holds out attractions which prove irresistible to land seekers and settlers. Railroads are pointing toward the Lake from every direction and at some point on its picturesque borders there is sure to be a large town combining the bustle of a business center with the beauties of a summer resort. And another thing is almost a dead certainty, if North Dakota becomes a Territory by itself, some where on the shores of Devil's Lake will be the site of its capital building. Odessa herself offers a location that is hardly surpassed by any of the several aspirants.

STEELE FARM.

Not the least delightful feature of the ride to Bismarck last Wednesday was a call in the rain at Steele farm, a short distance east of the town of Steele, whose \$100,000 cash bid was one of the episodes of Canton. Here is the elegantly appointed home of that popular bonanza farmer, W. F. Steele, gracefully presided over by Mrs. Steele, and blessed by the presence of Mr. Steele's mother, whose 80 years are belied by her

activity and sprightly speech and manner. Steele farm is an ideal farm in every respect, with I don't remember how many thousand acres under cultivation; a magnificent dairy with rich cream, from which the entire party was treated, both going and coming; with a stable of blooded horses for road and work uses; with a large hennery, provided with the latest incubating machinery; with a pig pen whose drawing and dining rooms would put to blush many a creature claiming a cleanliness superior to the porcine tribe; with twenty five acres devoted to small gardening; and with buildings that are equal to the best efforts of the fancy farmers in the east. And to crown all this, is a residence which in size, style, and interior arrangement, would adorn the avenues of any city. I should not go thus into details, more or less gossipy, over Steele farm, were it not that it is one of the institutions of North Dakota, and to a certain extent, public property, so far as enthusiastic admiration goes. Mr. and Mrs. Steele were invited guests of the Commission on its trip to Bismarck and back to St. Paul, and those of us whose course lay southward from here, said goodbye to them with the sincerest regret.

BISMARCK'S HOSPITALITY.

Ever since the advocates of division were knocked nearly off their pins by the bid which Bismarck dropped like a bomb into the camp of the Commission at Canton, interest has seemed to culminate in this place. Her citizens seemed to appreciate the fact that the eyes of the world were upon them, for from the time the train stopped there Wednesday evening until it pulled out Saturday morning, there was a succession of handsomely made efforts to entertain. Bismarck means business, and I am not surprised that the south Dakota friends view her efforts with serious apprehensions. Yet, while others have imagined a serious change in the situation to the disadvantage of Mitchell's prospects, I confess I have not. The mere fact of Bismarck's bid put a new face on affairs, and the visit there simply sustained the claim made by her representatives at Canton. The town is one of the older settlements in North Dakota, yet its real growth has been within the past five years. It lies on the second plateau from the

river, precluding all possibility of flooding, and back from the business streets, the residence portions slope gracefully and not too steep. The capital site is directly north and in the heart of what will be the artistocratic quarter of the city, when she shall have reached that growth which is mainly a question of time and internal energy. One half of the 320 acres offered lies on the flats, and will only be valuable when the ravages of the river are guarded against effectually. I was candid in saying that Ordway possessed an exceptionally beautiful site; I was earnest when I pictured the advantages of Pierre's location but after driving to the top of Bismarck's capitoline hill, and to the entrancing strains of the Fort Keogh military band, drinking in the beauties which were visible in every direction (at both short and long range) my hat comes off, and I am thankful that there are no other points to visit, for I haven't an adjective left. "See Naples and Die" may be all well enough, but after seeing Bismarck as I saw her, you won't want to die, you will yearn to go there and live forever. This may seem enthusiastic, but I really can't help it.

The social features of our visit were varied and brilliant. Wednesday evening an informal reception and dance was enjoyed at the parlors of the Sheridan House; Thursday forenoon, the reception committee and the citizens of the place did the honors on the ride of inspection; in the afternoon a pioneer's reunion was held at the court house, where Dr. W. A. Burleigh paid his respects to the Yankton squealers and kickers in the course of an interesting speech of reminiscence. His best point was that when the capital was located at Yankton, it was the fittest spot in the Territory. It was the exact center of population and a half a mile in either direction would have placed the capital outside the settlements altogether. But since then, Dakota has grown. Thursday evening occurred the formal reception at the Sheridan, where was spread a banquet that would warrant most extravagant description were I up in that line. I have saved the elegant satin and gold bill of fare, however, and will frame it for inspection when I get home. Dr. Bently made the address of welcome and built up a very plausible theory

as to Bismarck being the original site of the garden of Eden. No one appeared well enough posted in sacred history to dispute his arguments, except Elder Cressey, of the Huron Daily Leader, and as he had traded off his commentary for a copy of Hoyle, it was with difficulty that he made his points good. Capt Hughes made the best effort of the trip in his response, and Hon. J. C. Burrows, of Michigan, when called on, responded in a magnificent speech that caused the room to re-echo with applause. But life is too short and space too limited to try to do justice to this occasion.

Now a word or two as to Bismarck's business features, which are entitled to a share of attention. Her location at the crossing of the Northern Pacific on its \$10,000,000 bridge over the Missouri, is well known. Besides these stimulants to commerce, she looks for near connections with the Northwestern and the Milwaukee from the south, the old C. R. & N. from the southeast, and the Manitoba from the Devil's Lake region, some of which lines are already surveyed toward her borders. The business buildings are largely substantial ones, two and three stories high, of brick and stone, and I notice in process of construction three blocks, none under three stories, and of pressed brick, while marked additions are being made in the residence districts. The newspapers of Bismarck are the Daily Tribune, the most metropolitan sheet in appearance in Dakota, owned and ably conducted by Colonel Lounsberry, "which is also P. M.," and Marshall Jewell, a namesake and nephew of the late chairman of the national republican committee; the Daily Advertiser, a new afternoon venture by two late employees of the Tribune; and the Herald, a bright free lance weekly, in the hands of that widely known pioneer editor, Arthur Linn, who established the Union at Yankton, (from which the Press and Dakotan has grown, or rather retrograded). Mr. Linn is seconded in his work by his wife, who has the rare sense to appreciate the dignity of her labor, and does not allow an undue idea of her importance to prevent her from being a delightful lady socially. She accompanied the party on its trip to Glendive on Friday, of which more anon. The Tribune celebrated the visit of the commission by inaugurating an afternoon edition, to which ex-Clerk Quinn, of the council,

will devote most of his time. Colonel Lounsberry was also a guest on the special train to Glendive and came as far east as St. Paul with the travelers. The colonel, by the way, is not very enthusiastic for division, and advances some stout arguments against it.

During the day at Bismack, a boiler explosion occurred, by which two laborers were killed, and during the banquet Commissioner Myers suggested that it would be an appropriate thing for the visitors to show their appreciation of what had been done for them by raising a purse for the benefit of the families of the men who had lost their lives. The idea was taken up at once, big hearted Alex. McKenzie, the Bismarck member, leading with \$100 and the others contributed to swell the sum to \$300 in a very few moments. That man McKenzie stands just as high in his own home as he does among his fellow travelers, and as host on this occasion was conspicuously thoughtful and ubiquitous. The citizens of Bismack swear by Alex. I see I am liable to wax enthusiastic over this place if I keep on, so I'll drop the subject here and allude briefly to the

TRIP TO GLENDIVE

for which we were indebted to Superintendent Odell, of the Northern Pacific, who had the special in charge, and did so much to add to the enjoyment of the trip. Glendive is 200 miles west of Bismack, just across the Montana line, and it occupied all day Friday to go and return. For 50 miles west of the Missouri, the land is gently rolling and bluff by turns, mainly valuable for grazing purposes. The ride through the celebrated "Bad Lands" was a revelation to one who had only seen them on the map, and a description of the wild, wierd, chaotic, volcanic freaks of nature therein visible, is beyond my power. As far as the eye can reach in either direction are fantastic formations of earth, rock, and stunted shrubbery, suggesting every conceivable phase of the grotesque and picturesque. The only adequate idea of this part of marvelous Dakota can be obtained by a personal view. Imagination weakens and comparisons fade when I try to describe the constantly changing face of the landscape as we whirled on toward the famous Yellowstone. Dinner at the Little Missouri

gave an opportunity to see the coal mines, and an hour's stop for supper at Glendive, a bustling town of 800 people, allowed us to stand on the banks of the turbid Yellowstone, and see the sun go down behind the bluffs that form a setting for this peerless gem of the stock raising region. If Glendive were in Dakota, I should rave more about her lovely location and brilliant future. I could hardly realize as I looked at her snug dwellings and substantial stores, that we were 600 miles west of St. Paul in a town less than two years old.

Saturday morning found us at Mandan, Bismarck's rival across the river, where breakfast was served, after which a rapid run was made to

JAMESTOWN

Mitchell's sister up the valley. Another short stop was made at Steele and the "six-inch well" drawn on for cream, as rich as the soil that makes Steele farm the fortune it is. Up to visiting Jamestown, where we arrived for dinner, I have seen no town for a residence in which I would exchange my deep interest in Mitchell, but I must confess she has many claims both of location and of taste in her buildings. She lies right in the river basin, skirted by bluffs similar to those that render the same river so picturesque east of Mitchell, and I could not help but draw a comparison or two. There are a number of handsome three-story blocks in the place, one of solid granite, occupied by the James River National bank, surpassing anything in the territory by its metropolitan design and tasteful finish. Though little larger than Mitchell, Jamestown has two bright dailies, the Capital and the Alert, and has all the push in other directions that characterizes the towns of the Jim valley. Her entertainment of the visitors was in keeping with her reputation, and though the party had been banqueted to the limit of endurance, they were duly appreciative of her efforts.

The festivities closed at midnight and Sunday was spent in resting at Fargo, whose citizens won the hearty gratitude of their guests by making no effort at display, but contented themselves by driving the visitors out in the afternoon to see the extent of this

marvelous city, of the electric light, street cars, etc. Another night on the train brought us to St. Paul from which the party will separate to their several homes.

BUSINESS AT FARGO.

The commissioners will meet at Fargo, Friday, when they will probably get down to business in dead earnest. Until then, aspiring points can only hold their breath and wait.

Among the North Dakota ladies who brightened a portion of the trip were Misses Murphy, Ranson and Walsh of Grand Forks, and Miss Steele of Bismarck.

Chaplain Johnson of Ordway walked across the country and joined the procession at Jamestown on its return.

Messrs. Goodykoontz, Rowley and Bowdle of Mitchell met us on our way back, the first named at Fargo, and the others at St. Paul. Major Edwards of the Fargo Argus, with his wife, added to the party on the Bismarck expedition.

The Fargo Republican was represented on the Bismarck trip by Mr. Hall, jr., while Messrs. Burke of the Jamestown Capital, McClure of the Alert, Cook of the Dawson Globe swelled the journalistic delegation.

Editor W. J. Murphy of the Grand Forks Plaindealer, the one paper in that enterprising city which has treated the commission fairly, was a welcome addition to the party, joining it on Monday and remaining until the start from Fargo Sunday night.

I see the Sioux Falls Press quotes from the Luverne, Minnesota, Herald, a paragraph to the effect that because I said in one of my letters I knew where the capital was going but couldn't give it away, there was surest evidence of a cut and dried scheme of location. Had I made that remark other than as a rather feeble joke I should be entitled to claim the belt as the champion idiot, which is now worn so gracefully and fittingly by the afore-said editor of the Luverne Herald. The Press is too good a paper to give way to prejudice in this shape.

One needs to travel from Mitchell to Devil's Lake, and from Fargo to Glendive to fully appreciate the immensity and variety of soil and scenery in Dakota, and to thoroughly grasp the marvelous growth of her towns and the indomitable energy and

enterprise of her citizens. Why, the half of her glories haven't been sung.

The social features of this continued "ovation," as Captain Belding puts it, were not the least striking and at any of the entertainments there was nothing in dress, manners, conversation and appointments that would not have well befitted the aristocratic centers of the east. Even at Glendive the girls wear bangs and chew gum, just as natural.

Bismarck is likely to take a fresh boom. Gold was reported discovered forty miles north of the city on Saturday.

It may have been illnatured in me to refer to the number who accompanied the commissioners as I did last week, but a fellow is liable to get a little crossgrained who has been sleeping on the bell rope and eating at the third table for three or four days because things were a little crowded.

B. K. Hubbard, a solid man of Fargo, has laid yours truly under lasting obligations and if I get a chance to "put him on to any pointers" I am bound to do it.

Judge Tallant of Grand Forks, with difficulty tore himself from the party at Fargo. More I dare not say for the sake of the other hearts that might ache.

The statement that has been going the rounds of the press that a bid has been accepted from Jamestown is false. She desired to use the commission as a bulletin board to advertise the town, but deferred making her proposal for a time. The same statement applies to the LaMoure bid.

Hon. and Mrs. Burrows left the party at Minneapolis, and returned to their home at Kalamazoo, Michigan. Their presence has added not a little to the gayety of the excursion.

Wm. Van Epps met the commission at St. Paul.

Governor Ordway was in Minneapolis Monday, and was called on by several of the commission. At Bismarck a parting salute of nine guns was fired as the train pulled out.

St. Paul, June 3, 1883. Well, the agony is over and Bismarck, through the shrewdness and persistency of Alex. McKenzie, and the stiff backing of the Northern Pacific, and her generous bid and magnificent capitol site, has captured the prize, in the direc-

tion of which nine of the best towns in Dakota have been striving in dead earnest for the past month. I tried to telegraph the result yesterday and as soon as it was reached and I presume the dispatch will be along in the course of a week. The daily papers have given the details of the final action already, and repetition is not necessary here. It will be recalled that in my last visit to Mitchell, in response to various inquiries as to the situation, I could only say there was no particular change, but that the prospects of Mitchell were bound to be lessened by the Bismarck bid. Anybody who had watched the progress of affairs would have reached the same conclusion, therefore the result cannot be looked at as a surprise or as a deep disappointment to Mitchell's hopes.

When I rejoined the commissioners at this point last Thursday night there was an evident determination forming among them to come to a speedy decision at the Fargo meeting. It was plain to be seen that Bismarck had the lead, though there was a strong fighting chance for any South Dakota town which could unite the strength of that section. The first few ballots on Friday indicated very little except that at least one man, on whom Mitchell had more or less certainly relied would not even give her a complimentary vote—I mean DeLong, of Canton. Matthews was loyal to Huron and could not be brought to consider Mitchell at all favorably. Myers and Spalding voted steadily and in earnest for Redfield; though both held themselves willing to vote for us if thereby Bismarck could be beaten. Captain Hughes voted for Mitchell several times, but expressed himself that she hadn't the strength to carry her through, when the balloting got down to real business. Thompson voted in dead earnest for Mitchell all the way through, and from the very first was sincere and consistent in his position in our favor. Belding, of course, wanted Pierre, and for the first few ballots had DeLong with him, while McKenzie was hanging onto Bismarck like grim death to a deceased African. Scott scattered more or less but was looked on as the uncertain quantity that might decide the fate of any point, which got four votes, especially if that point were Bismarck.

That was the situation from Friday afternoon when the ad-

jourment was taken until Saturday at 10 o'clock. Meanwhile, Myers, backed by the Fargo element that wanted to beat Bismack, was working like a Trojan to form a combination, if not on his own town, on Mitchell. Had he been able to hold DeLong, fortune might have favored us at the last moment, but the latter's mind had been made up for some time on Bismarck. Hughes had already expressed himself that Mitchell was too far south and not to be considered under the circumstances, but there is reason to believe that with four votes in her favor his would have made the fifth. The balloting was resumed Saturday forenoon with no especial significance, Hughes voting for Redfield up to adjournment, and Scott speaking out like a little man for Bismarck. At 3 o'clock in the afternoon voting was resumed and at the first ballot Belding and DeLong joined the Bismarck brigade, leaving but one vote to settle things. This came promptly from Hughes on the second ballot, his name being the last on the roll call, and Bismarck was formally announced to be the location of the seat of government for the Territory of Dakota. Resolutions embodying the description of the land made the thing more binding, and committees were at once appointed, one on platting and selling the land with Matthews at his head, and one on buildings with Hughes as chairman. It was understood that Myers was to be at the head of the first named committee, but because of his efforts against Bismack, Hughes objected and he was reduced to the ranks. After transacting this business the commission adjourned to meet at the call of the president, and the members scattered by the evening trains, Hughes, McKenzie, DeLong and Belding going to Bismack, Myers, Matthews and Thompson starting for home via St. Paul, Scott going to Grand Forks, and Spalding settling down at his own fireside for a time. Future meetings of the commission will be held at Bismarck.

More or less has been said of the time spent by the commission in "junketing and banqueting" throughout the territory. A brief resume of the travels of the party may be interesting in this connection.

The first meeting of the commission after its organization was held at Canton, May 1st. On the 2nd Mitchell was reached and

the 3rd spent there; St. Paul was next made and the party left for Aberdeen the afternoon of the 6th; took breakfast and dinner there on the 7th, and had breakfast at Ordway on the morning of the 8th and took dinner at Frankfort and supper at Redfield; arrived at Huron on the morning of the 9th, spent the day there and went to Pierre on the 10th; returned to Huron on the 11th and left for St. Paul the same afternoon; spent Sunday the 13th there and reached Canton again on the morning of the 15th. Two days were put in there after which the commissioners separated and met again in St. Paul on the 20th, leaving that afternoon for the north; Grand Forks was reached on the 21st, Bartlett and Odessa done on the 22nd, and Fargo was reached and the 23rd; Bismarck was made the same afternoon and the 24th was put in there; early on the 25th the start was made for Glendive, Montana, that point being reached in time for supper; the return was made the same night, Bismarck was reached again on the morning of the 26th, and the afternoon and evening of that day was put in at Jamestown, from which departure was had at midnight. Sunday the 27th was spent at Fargo and the balance of the week up to Thursday night the 31st, at St. Paul; Fargo was reached again on the 1st of June and from there the commissioners separated. During this time with very few exceptions the nights were put in on the train, and whenever it happened that the party slept in a hotel a freight train was hired to rattle back and forth in the near vicinity to make things seem natural. Meals averaged four a day and were served all the way from 6 o'clock breakfast to 11 o'clock lunch, a 4 o'clock dinner and a midnight supper.

PROTEST FROM SOUTH DAKOTA.

When the action of the capital commission locating the capital at Bismarck was announced, the portion of the territory now known as South Dakota, was wild with fury. Corruption of the commission was immediately charged. Of the nine members of the commission, six were residents of South Dakota and three of North Dakota. The choice of Bismarck was brought about by three of the South Dakota men, Alexander Hughes of Yankton,

COMPLAINT.

The Territory of Dakota by E. G. Smith, district attorney for the Second Judicial District of Dakota, complains of said defendants and alleges:

1. That on the 11th day of February, 1862, the then governor of the Territory of Dakota, pursuant to the act organizing the Territory of Dakota, duly appointed the City of Yankton in said Territory as the place for the first meeting of the legislative assembly of the territory of Dakota, and duly appointed the time of such meeting: That the said legislative assembly met at the time and place so appointed; and afterwards to-wit: On the 8th day of April, 1862, the said governor and legislative assembly proceeded to locate and establish, and did that day locate and establish the seat of government of said territory at the said city of Yankton, by an act entitled, "An Act to Locate the Seat of Government of Dakota Territory," approved April 8th, 1862, said city being the same place as the town of Yankton mentioned in said act. That the said city of Yankton has ever since been, and is now the lawful seat of government of said territory; and all the sessions of the said legislative assembly have been held at that place; and the territorial offices have been ever since held thereat; and all the public records, books, papers, documents and archives of said territory have been and still are kept at said seat of government; and said seat of government has never since been changed by the governor and legislative assembly of said territory as provided by said act organizing the territory of Dakota.

2. That the above named defendants were appointed commissioners for the purpose of locating a permanent seat of government and the capital building of the territory of Dakota under and by virtue of a pretended act of the legislative assembly of the territory of Dakota entitled, "An Act to Provide for the Location of the seat of Government of the Territory of Dakota, and for the erection of Public Buildings Thereat," approved March 8th, 1883, which said appointments were and are in violation of said act organizing the Territory of Dakota.

3. That after that date, to wit: On or about the — day of 1883, the said Defendants as a pretended board for the purposes

above mentioned under said pretended act, without legal warrant, each usurped said office of commissioners and without warrant has usurped the right, privilege and franchise of naming the seat of government under said pretended act, and have ever since unlawfully held and exercised said office right, privilege and franchise; and are preceeding to change and to permanently locatesaid capital and seat of government for said Territory, at same place other than the city of Yankton, under said pretended act, in violation of law and said act organizing the Territory of Daktoa.

4. That each of said Defendants are usurping and exercising said alleged rights and franchises arising under said pretended act, and are drawing and are about to draw and collect each the sum of six dollars per day for their pretended services as said commissioners, from the public moneys belonging to the Territory; and from the terasury of said territory and are also procur-ing a surveyor and assistants to locate said seat of government, under section nine of said pretended act at a like expense to the Territory of \$7.50 per day, and are drawing large sums from the Territorial Treasury for alleged expenses as such commissioners for team hire, stationery and other expenses.

Wherefore, the plaintiff demands judgment that each of said defendants is not entitled to said office and that they be ousted therefrom. That said pretended act, and all acts done or performed by said commissioners be declared illegal and void, and that each of said defendants be declared not entitled to exercise any right, privilege or franchise under said pretended act.

E. G. Smith,

District Attorney of 2d Judicial District of Dakota.

A. C. Davis,

Dewey and French ,

Bartlett Tripp,

Gamble Brothers,

G. G. Moody,

Attorneys for Plaintiff.

The action was tried before Judge A. J. Edgerton, Chief Justice of the Territorial Court, sitting as Judge of the District

Court and by him decided against the Capital Commission on the ground that the Legislature had no authority to delegate the location of a capital to any other body. His decision was appealed to the Supreme Court which consisted of all the Territorial Judges sitting in banc, and was argued at the October term for 1884, and the opinion of the court, reversing Judge Edgerton, was written by Louis K. Church, afterwards Governor of Dakota Territory. Naturally, Judge Edgerton dissented from this opinion but was powerless to prevent the removal of the capital. In fact, except for two or three of the Territorial officers who retained their offices in Yankton awaiting the decision of the court, Bismarck had in the interim been enjoying all of the advantages which the capital could bring to it unless it be that the incidental real estate boom was dampened somewhat by the pending litigation. The opinion of the court and Judge Edgerton's dissenting opinion will be found in Vol. III of the Dakota reports, page 357. If the removal of the capital could not be prevented thru the courts, South Dakota at least had the numerical strength to bring it back thru legislation. At that date, the population of South Dakota was more than double that of North Dakota, and its strength in the Territorial legislation was correspondingly large, and the people were thoroughly determined to abrogate the action of the Legislature of 1883 and bring the capital South of the 46th. parallel.

The South Dakotans easily organized both houses of the Legislature but there was a multiplicity of candidates for the capital. Huron, Mitchell, Aberdeen and Pierre all put in their claims for it, and the North Dakotans subtly playing upon the jealousies and conflicting ambitions of these rival places so divided the South Dakota delegation that they were unable to unite upon any one place during the session and Bismarck retained the prize.

HURON CAPITAL.

The Territorial Legislature of 1888 provided for a constitutional convention to be held for that portion of Dakota Territory south of the 46th parallel and under this enabling act the people of South Dakota elected a constitutional convention which formulated a state constitution which was adopted at the November election of that year. This constitution provided that at the

election for the adoption of the constitution the people of the state should by ballot choose a temporary seat of government. Alexandria, Huron and Pierre, Sioux Falls and Chamberlain immediately thereafter announced their respective candidacy for the place. The campaign was very brief but very vigorous. At the election Huron won the temporary location, having 12,146 votes; Pierre received 10,305; Sioux Falls 3,337; Chamberlain 3,167; and Alexandria 1,374. Under the provisions of the constitution, the first state legislature convened at Huron on December 15th, and elected A. J. Edgeton and Gideon C. Moody as United States Senators. An attempt was made the next year to reconvene the Legislature, but with only nominal success. No further official action was taken there at any time, and the enabling act which was passed for the admission of Dakota on February 22, 1889, provided that the location of the seat of government should be resubmitted to the people, but the historic fact remains that for four years Huron was the tentative capital of a tentative state.

Complying with stipulation of the enabling act, the constitution formulated at Sioux Falls in the summer of 1889 contained this provision:

ARTICLE XX.

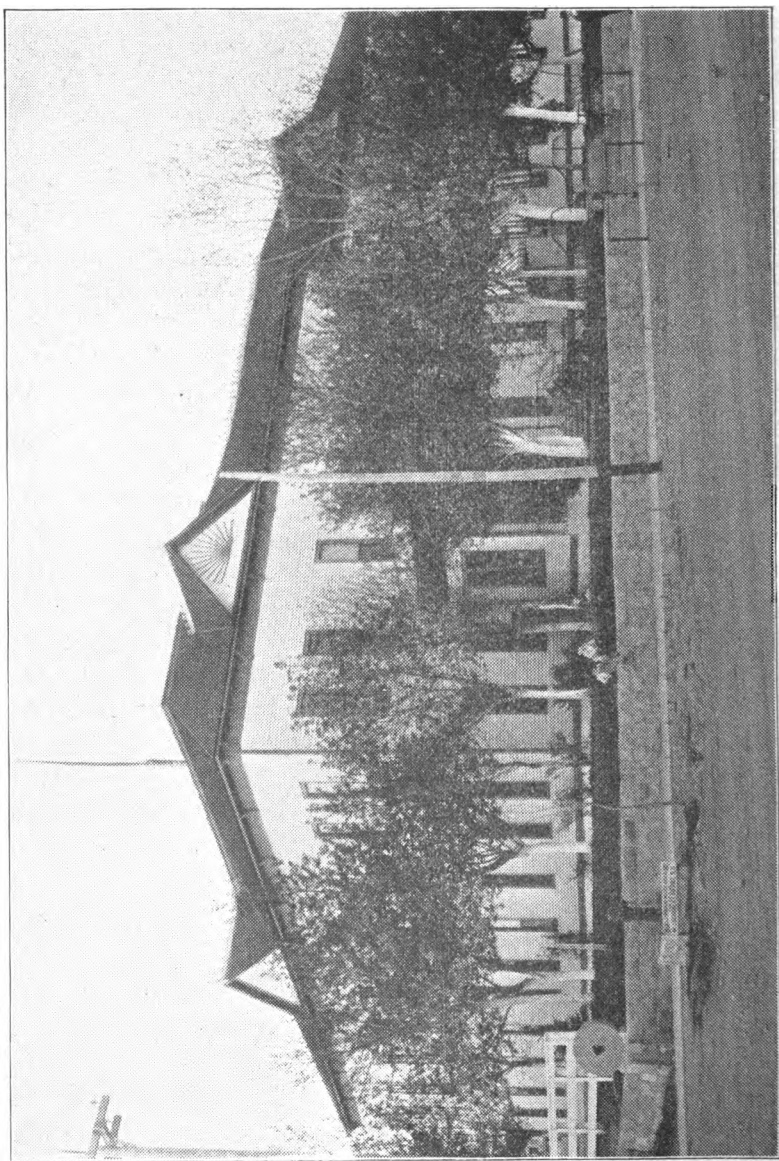
Section 1. The question of the location of the temporary seat of government shall be submitted to a vote of the electors of the proposed state of South Dakota, in the same manner and at the same election at which this constitution shall be submitted, and the place receiving the highest number of votes shall be the temporary seat of government until a permanent seat of government shall be established as hereinafter provided.

Sec. 2. The Legislature, at its first session after the admission of this State, shall provide for the submission of the question of a place of the permanent seat of government to the qualified voters of the State at the next general election thereafter, and that place which receives a majority of all the votes cast upon that question, shall be the permanent seat of government.

Sec. 3. Should no place voted for at said election have a majority of all votes cast upon this question the governor shall issue his proclamation for an election to be held in the same manner at the next general election to choose between the two places having received the highest number of votes cast at the first election on this question. This election shall be conducted in the same manner as the first election for the permanent seat of government, and the place receiving a majority of all the votes cast upon this question be the permanent seat of government.

Pursuant to the foregoing article of the Constitution, at the election held for the adoption of the constitution and the choice of state officers, an election was also held for the choice of a temporary seat of government. For this honor Chamberlain, Huron, Mitchell, Pierre, Redfield, and Sioux Falls and Watertown entered the race, and each organized a strong propaganda backed by vast sums of money secured thru subscription or the issue of municipal bonds and warrants, and the interest in the capital fight over shadowed the interest in the constitution or any other topic at that time before the people. To say that it was a campaign of wholesale corruption of voters is to put the matter in its mildest form. Practically every newspaper in the state was subsidized in the interest of some candidate, and many voters were subsidized by all of them. It was the intention to devote a chapter in this volume to the campaign conducted by each of the several candidates, but the editor has found it impossible to secure the cooperation of those who are best informed in the premises, and perhaps it is yet too early to write this chapter in the history of South Dakota. From the standpoint of public morals it was a most unhappy time.

At the election Pierre triumphed, receiving 27,096 votes; Huron 14,914; Watertown 11,970; Sioux Falls 11,765; Mitchell, 7,506; Chamberlain, 2,414. In the course of the campaign Redfield had dropped out of the race so far as possible throwing her influence to Huron for a consideration. On the 15th of October, 1889, the first real state Legislature convened at Pierre for the election of United States senators. The House met in the



OLD CAPITOL

Court House, the Senate in the G. A. R. Hall, which stood upon the site of the new St. Charles hotel, and Governor Mellette and the State Officers generally maintained their offices at the Wells House in East Pierre. Upon the day when the vote determined that Pierre was to be the capital, the citizens went vigorously to work to erect a temporary capital for the use of the state, and the main portion of the building which sheltered the state government from the foundation of the state in 1889, until it was abandoned in May 1910, was erected and was ready for occupancy when the Legislature regularly convened January 1st, 1890. This building was erected by the voluntary gifts of the citizens of Pierre and was presented to the state without cost. Under the terms of the constitution, the permanent seat of government was to be determined by another vote of the people in the fall of 1890, and Huron, Pierre and Watertown announced themselves as contestants for the prize. However, before the campaign fairly opened, Huron thru negotiations with the Watertown people and for a substantial consideration, induced that city to withdraw from the race so the issue was fairly drawn between the cities of Huron and Pierre. It was another campaign over which it is perhaps charitable to throw the mantle of obscurity. Both cities bankrupted themselves to secure funds to prosecute the fight, Pierre being again victorious by a vote of 41,876 to 34,852.

That Huron should have been satisfied with this result and prepared to gracefully accept it was scarcely to be expected, at any rate, an agitation was at once begun for a resubmission of the capital location question. When the capital was located at Pierre the little city was located on the extreme frontier at the end of a line of railway upon which the business warranted the most indifferent service, it was far remote from the more thickly populated portions of the state and the upbuilding of the central and western portion of the state seemed to be very doubtful. In every session of the legislature after the first there was more or less agitation for capital removal, tho generally it was used only as a club to secure favors from the people of Pierre and from the legislative delegations from the central portion of the state. In the session of 1897, however, this agitation took the form of a House Joint Resolution amending article 20 of the Constitution above quoted to make it read simply "The permanent seat of government shall be at Huron." This

resolution was introduced late in the session by the committee upon state affairs of which Hon. A. H. Olson of Lawrence county was chairman. It was referred back to his committee and on February 27th he made a favorable report for a majority of the committee while Messrs. George E. Hare of Butte county and Robert Dollard of BonHomme reported adversely to the passage of the resolution. When the next day the matter came up upon the adoption of the committee reports, Hon. Charles H. Burke, then Representative in the Legislature from Hughes county, led a sharp filibuster which resulted in the postponement of further action upon the bill until March 2nd on which day it was defeated by a vote of 40 to 34, altho these figures were reversed when the matter was up on the consideration of the committee report on the 28th of February. Therefore, there was an increased demand for a resubmission of the question and Mitchell and Redfield became ambitious aspirants but there was no bill for the purpose introduced into the session of 1899. During the session of 1901, capital removal was in the air and Huron, Mitchell and Redfield each had a strong contingent of strength which for a long time it seemed impossible to harmonize. Finally, near the end of the session it was determined to invite all removalists into a caucus, each of the candidates pledging themselves to abide by the result. After considerable wire pulling, Mitchell secured a majority of the votes of the caucus. Nothing, however, was done until the House calendar had been completely cleared up for the session. When the last bill had been completely disposed of the committee on privileges and elections brought in a joint resolution submitting an amendment to the constitution removing the capital from Pierre to Mitchell. Hon. Albert G. Somers of Grant county was speaker of the House Hon. Thos Goddard, of Sully county was the representative from the Pierre district and Hon. Harry L. Bras was the representative from Mitchell, Hon. Robert W. Stewart was the State Senator from Pierre, and he came into the House and sat with Representative Goddard.

At that late date in the session a bill could only be introduced by consent. When the committee on privileges and elections asked the privilege of introducing the capital removal resolution Mr. Goddard objected to the introduction, raising the point of order that the subject matter was foreign to the committee's jurisdiction. Speaker Somers sustained the objection, Mr. Bras ap-

pealed from the decision of the chair. Then followed a filibuster which lasted from 2 o'clock in the afternoon until long after midnight and in which perhaps 100 roll calls were taken. It was a time of extraordinary excitement, and the nervous tension among the legislators and citizens neared the breaking point. Very early in the morning, however, the Pierre forces had been able to poll the Senate and ascertained that they were in complete control there. Consequently they withdrew the fight in the House and let the resolution pass that body, to be defeated next day in the Senate, and thus another capital location fight was averted for the time being.

The three rival towns, however, continued the vigorous propaganda for capital removal during the next two years. They went at the business in a systematic way and got many legislators pledged to the movement in the nominating conventions, and when the session of 1903 convened there was little doubt that the necessary constitutional amendment would be submitted. In fact, by this time the people of Pierre had become convinced that the agitation would never be quieted until another popular vote had been taken, and so offered very little objection to the passage of the resolution, for again Mitchell had triumphed in the caucus of the aspirants and one of the first acts of that session was the passage of the resolution thru both houses which submitted the question to the people at the election to be held in November, 1904.

In a commercial sense South Dakota has almost from the beginning of its history been dominated by two competitive lines of railway, the Chicago and Northwestern and the Chicago, Milwaukee and St. Paul lines. Pierre, located at the western terminus of the Northwestern line, in a region the development of which meant very much for the advantage of that railroad, naturally interested the officials of that company in maintaining the capital in its present location. Mitchell, however, located at the crossing of two important divisions of the Milwaukee road, was supported by the officials of that company, and altho it is not probable that such a condition was contemplated by either railroad at the beginning, the campaign for capital location soon developed into a fight between these two great railroad establishments.

The first year after the submission of the amendment was devoted to matters preliminary to the real battle. Subsidizing newspapers, political leaders, and men who seemed to have in-

fluence in the several communities. Early in 1904 the real trouble began. The railroads concerned commenced to select men of presumed influence and carry them free of charge to the respective cities in the contest and not always were these favored citizens quite discreet in the boasts which they carried back to their neighbors. These neighbors could not understand why the first should have been favored unless they were also and promptly made application to the railroad companies which, under the circumstances, could scarcely be refused, and it was not long until both lines were doing the largest passenger business in the history of either. In the earlier months this transportation business was confined chiefly to voters but the farmer's wives could see no reason why their lords and masters should be given free junkets to the state capital or to Mitchell while they were compelled to remain in the seclusion of their homes, and by the early autumn they had impressed their importance upon the railroad companies until they were compelled to grant all demands for transportation for fathers and mothers, grand sires and children and South Dakota simply suspended business and went out for a grand sixty day's picnic. Threshers stood unfed among the grain shocks, plows rusted in the furrows, and the potatoes crowded undug in the hills. Merchants locked their doors and schools closed to permit all the people to visit the rival cities. It was a state-wide, good natured campaign with no other feature of particular interest save the picturesque picnicing of the people. At times, the little village of Pierre, having not then more than two thousand inhabitants, was compelled to entertain more than five thousand guests. The railroads brot out vast special equipment and ran trains in long sections as frequently as the safety of the service would permit. There was very little corruption of voters thru bribery; with the Australian ballot it was not long doing good business to buy votes, but the whole effort was devoted to securing the good will of the voters. The election resulted in an overwhelming victory for Pierre and forever settled the quston of capital location.

THE NEW CAPITAL.

When Pierre's victory in the campaign of 1904 was announced, there was an almost universal demand that further attempts at capital removal be forestalled by the erection of a substantial

state building that would forever establish the permanent seat of government. Indeed on the very night of the election Mr. Harry Bras, Chairman of the Mitchell Commission; sent his congratulations to the Pierre Capital Commission and declared for the immediate erection of a million dollar building. Upon the day of Pierre's victory, Hon. John Sutherland, Chairman of the Pierre Capital Committee, had been elected to the state House of Representatives and to his masterful management was confided the duty of promoting the passage of a capital building bill. The most serious proposition confronting him was the means of financing the enterprise. Thru the enabling act the Federal Government had granted the state of South Dakota 85,000 acres of land, the proceeds of which were to be devoted to the erection of buildings at the state capital. These lands were chiefly located in the central and western portions of the state where in the autumn of 1904 only nominal values were placed upon them and the question to be answered was a method of securing funds by anticipating the proceeds of these lands when they should come upon the market and yet without involving the state in a debt in conflict with the constitutional provision which limits state indebtedness to \$100,000. Fortunately the same question had previously arisen in the state of Montana where a plan had been devised and its legality confirmed by a decision of the supreme court which permitted the issue of interest bearing warrants issued upon the faith of the state and the interest upon them guaranteed from the general fund and the principal sum to be paid from the proceeds of the capitol building lands when sold. This provision the supreme court of Montana held might be carried out without conflict with the constitutional provision limiting indebtedness. Mr. Sutherland believed that this was the only feasible plan for financing the capitol building project and consequently he prepared a very elaborate bill embodying this proposition, and at the beginning of the session of 1905, introduced it into the House of Representatives as House Bill No. 6 and it was referred to a special committee upon Capitol Building and Grounds of which Mr. Sutherland was the chairman. As this bill was somewhat unique in its provision and as it is not otherwise preserved for easy reference, the text of it is given herewith.

HOUSE BILL NO. 6.

INTRODUCED BY MR. SUTHERLAND.

A Bill for An Act Relating to the Creation of a State Capital Commission to Provide for the Erection of a State Capital Building.

Be it enacted by the Legislature of the State of South Dakota :

Section 1. State Capital Commission That for the purpose of erecting and completing a State Capitol Building for the State of South Dakota on Block Twenty-one (21) in the Fourth Railway Addition to the Town, now City of Pierre, in the county of Hughes, in the State of South Dakota, known as the capitol grounds, there is hereby created a Board to be known as the State Capitol Commission. Said board shall consist of five members to be composed of the Governor and four qualified electors of the state, one of whom at least shall be a resident of the City of Pierre aforesaid, and no two of whom shall be from the same county, to be appointed by the Governor. The commission so appointed shall hold office until the completion of said building and the acceptance thereof by the state unless sooner removed by the Governor. Each of said commissioners, except the Governor, shall give a bond with at least two sufficient surities to the State of South Dakota, in the penal sum of ten thousand dollars (\$10,000) conditioned for the faithful preformance of the duties imposed by law. The said bonds shall be subjected to the approval of the Governor, and after such approval must be filled in the office of the Secretary of State. The Governor shall be chairman of said Board and shall have power to remove any member of said Board, and to fill all vacancies until the next session of the Legislature, when such appointments shall be made by and with the advice and consent of the Senate when the same convenes. The majority of the Board shall constitute a quorum.

Sec. 2. Members not to be interested in contracts.

It shall be unlawful for any of the said board to be connected, either directly or indirectly, in any manner whatever, with any contract or part thereof for the erection of said Capital building, or for any work connected therewith, or for the furnishing of any supplies or material therefor or to receive any benefit therefrom or the promise of any benefit therefrom either by way of commission, rebate, bonus, division or profits or otherwise; and any one of

said board who shall violate this provision of this act shall be guilty of a felony and upon conviction thereof shall be subject to a fine of not to exceed One Thousand Dollars and imprisonment in the penitentiary not exceeding five years, and shall forfeit his right to, and be removed from his place in said board. It shall be unlawful for said board to employ any person in the supervision or superintendence of the building of said Capitol, or in any work connected therewith, who may or shall become in any manner connected, directly or indirectly, with any contract for the erection of said Capitol building or for the furnishing of any material therefor; and the said board of managers are hereby charged with the rigid enforcement of this provision of this act.

Sec. 3. Compensation. Each of the Commissioners appointed by the Governor under the provisions of this act shall receive as compensation five dollars a day for each and every day he is actually engaged in the performance of the duties of his office, together with mileage actually paid out while engaged in the necessary performance of his official duties, said services and expenses shall be certified to the State Auditor with vouchers therefor, and such warrants shall be drawn on the State Capitol Building Fund in payment therefor.

Sec. 4. Secretary of Board. Duties. Said board is authorized to appoint a secretary and remove him at pleasure. His compensation shall be such sum as the board shall deem reasonable, not exceeding One Hundred Twenty Five Dollars per month from the time that he is employed. He shall qualify by giving bond to be approved by a judge of a Circuit Court of the State of South Dakota in the sum of Five Thousand Dollars conditioned for the faithful performance of the duties of his office. He shall keep a true and complete record of the proceedings of the Board. He shall make and keep a record of all contracts and obligations entered into by and with the board, or made or delivered to the board. He shall attest all certificates ordered by the board. He shall keep a set of books showing all expenditures on accounts of said board, all expenditures on account of the Capitol Building, and showing at all times the financial condition of the board, and of the funds appropriated for and applicable to the purpose of this act, and all matters relating thereto. He shall on the first day of December of each year prepare a financial report for the preceding year containing an itemized and classi-

fied statement of all expenditures, and a list of all vouchers issued, showing to whom and for what purpose they were issued, which report shall be filled in the office of the Auditor of State, and published on the first day of January of each year in two newspapers to be selected by the board, and a copy transmitted by the board to the Legislature at its next regular session. All contracts made with said board and all bonds required by said board shall be regularly passed upon by the board in session, and if adopted and approved by a majority of said board, shall be recorded in a book kept for that purpose, and a copy of such contract shall be made out and certified by the secretary endorsed "approved" with the date of approval, and delivered to the other party to the contract. Until such delivery no contract shall be valid or binding on either party. No party required by said board to give a bond shall receive any money from the public treasury, or warrant or certificate therefor, until said bond shall have been recorded as herein required. All such bonds and contracts upon being recorded shall be filed in the office of the Auditor, of State, by whom they shall be preserved. All other vouchers, statements, files and papers relating to the erection of said building shall be kept and preserved by said secretary. He shall perform such other duties as may be required of him by said board.

Sec. 5. Duty of Board. It shall be the duty of said board: To locate said capitol building on Block Twenty-one (21) in the Fourth (4th) Railway Addition to the town, now city of Pierre., in the County of Hughes and State of South Dakota, known as the Capitol grounds.

To prepare said grounds for a capitol building by proper landscape gardening under the direction of some competent landscape gardener to be selected by said Board.

To secure the erection and completion of said capitol building conforming faithfully to such plan and design as may be adopted by said board.

Sec. 6. Awards to Architects. In order to procure the submission of adequate and worthy plans and designs, said Board may offer an award to architects submitting plans which said Board shall deem meritorious, three prizes: To the architect submitting the plain and design which shall be accepted as the plan and design of said Capitol building, the first prize shall be awarded,

which shall consist of his selection as architect of said building, and the acceptance of his plan and design. The second prize shall consist of the sum of One Thousand Dollars (\$1000) and shall be awarded to the architect submitting the plan and design deemed second in merit. The third prize shall be the sum of Seven Hundred Dollars (\$700) and shall be awarded to the architect submitting the plan and design deemed third in merit. No design that the commission shall deem inadequate and unworthy, shall receive a prize. In case no plan and design is accepted as herein provided, the Board shall advertise for the submission of further plans and designs, making no award of prizes until a plan for said Capitol Building shall be selected. The Board shall invite the submission of plans and designs by a public notice setting forth the offer of prizes and stating the time on or before which plans and designs must be submitted to the Board. Provided that the architect being awarded the first prize shall satisfy the Commission that he is the author of the design and plan so submitted, and that he is skilled in his profession. That notice shall be published in four daily papers, one in Pierre, and one in three other cities of the state of South Dakota, said newspapers to be designated by the Board, and in four papers in other localities outside of the State of South Dakota, at least twice a week for five successive weeks, giving at least sixty day's notice after the day of the last publication of the time of said submission. The Board in selecting a plan and design for said Capitol Building shall require the highest degree of architectural beauty and constructive excellence, and said building shall be fireproof.

Sec. 7. Advertisement for bids. No construction or material shall be furnished except pursuant to bids advertised for, as herein provided. All lettings of construction or material exceeding in amount the sum of Five Hundred Dollars (\$500) shall be advertised in two daily newspaper of general circulation, for not less than ten days. The bid of the lowest responsible bidder shall be accepted, saving that the Board shall have the right to reject all binds. The performance of every contract shall be secured by a bond to the state of South Dakota, in a sum not less than one quarter of the contract price, secured by two sureties, qualifying in double the amount of a bond, each of whom shall be a bona fide resident of this state, said bond to be conditioned for the faithful performance of said contract. Each bid shall be ac-

accompanied by a similar bond conditioned for the execution and faithful performance of a contract in accordance with said bid, if the same shall be accepted by the Board. All contracts shall reserve the right of the Board, for good cause shown, to annul the contract, without allowance for damages, and allowing only expense incurred and labor performed, not exceeding the contract price or the proportion that the work done or material furnished thereunder, bears to the total amount contracted for. Such a per centum, not less than twenty per centum, as the Board shall deem proper, shall be reserved from payments on monthly estimates of work done, until such work shall have been completed, inspected and accepted. All material contracted for shall be of the best quality and to the satisfaction of the Board, and the directions, plans and specifications, of the work executed and carried out by skilled and reputable architects, contractors, artists, mechanics and labors, likewise to the satisfaction of the Board.

Sec. 8. Compensation and Duties of Architect. Bond. The architect chosen by the board shall receive such compensation for his plan and design as the board shall deem reasonable. He shall be supervising architect of said building, and shall prepare all plans, specifications drawings, and details for said building, and for all contracts for construction and material therefor. He shall see that all material furnished and work done shall be of the best quality, and that all contracts with said board are faithfully performed by the parties so contracting with said board. He shall perform all other duties devolving upon him as such architect, and the supervising architect of said building may be removed at the pleasure of said board. Neither said architect nor any of his subordinates or assistants shall be in any way connected with any work done or material furnished for said building, or any contract therefor or shall have any interest therein directly or indirectly. He shall furnish bond to the state of South Dakota in the sum of Fifty Thousand Dollars (\$50,000) with two or more sureties, each a resident of this State and qualifying in twice the amount of said bond, conditioned for the faithful performance by said architect, his assistants and subordinates, of his and their duties as herein prescribed.

Sec. 9. Superintendent. Duties. The board shall appoint a specially qualified person to act as Superintendent of the construction of said Capitol Building. It shall be his duty to see that all

contracts made with the board are faithfully performed, that all material furnished and work done, shall be as required by law or the contract therefor, that all duties imposed upon the architect are faithfully performed by him and his subordinates, and that no provisions of this act are violated. To report to the board any violation of this act or of any contract or of any duty by an architect, contractor or employee of said board, and to do such other duties as may be required of him by the board. Said Superintendent shall receive as his compensation such sum as the board shall deem reasonable, not exceeding eight (\$8) dollars per day for each and every day he is actually engaged in the performance of his duties. He shall be removable at the pleasure of the board.

Sec. 10. Material—Cost. The board shall have and is hereby given power and authority when the kind of material to be used in the construction of the capitol building is not specifically fixed by law, to use such material as it may deem best for said building. Provided, That the total cost of the erection, completion and furnishing of said Capitol Building, including steam heating apparatus and other fixtures shall not exceed the sum of One Million Dollars (\$1,000,000) and the board shall at all times have this object in view, and all plans accepted and all contracts awarded shall accepted and awarded only after the board shall be satisfied that the cost of building when it shall be completed and furnished shall not exceed this amount.

Sec. 11. Statements by board. It shall be the duty of said board, during the construction of said building, to submit to the Legislature at each session thereof, including the session following the completion of such building, a full statement of all work done and material furnished, and the contracts for the same in the construction of said capitol building, together with a complete statement fully itemized and properly tabulated, of all moneys spent by it, and shall furnish a detailed report of its acts and designs therewith.

Sec. 12. Materials for building. The Capitol Building shall be built of stone, brick and iron as far as practicable. All materials to be used in the construction and furnishing of the same shall be procured in the State of South Dakota; Provided, the same are the products of said State and can be procured in said state as cheaply as material of like quality in other localities. Said Capitol Building shall contain all chambers, rooms, corridors, halls,

safes, vaults and other features and appurtenances appropriate to a Capitol Building. It shall be equipped with the most approved methods of heating, draining and ventilating.

Sec. 13. Yearly Expenditures. The board shall divide the expenditures for the erection and completion of said Capitol Building so that there shall not be expended in any year an amount in excess of the appropriation for that one year. The entire construction and finishing of said Capitol Building shall be completed by the first day of January, 1909; Provided that a sufficient sum to pay for the same shall have been derived from the sale of lands granted for that purpose.

Sec. 14. Certificates and Warrants. All disbursements on account of the construction of the Capitol Building, shall be made pursuant to certificates issued by the board. All claims, bills and demands for labor performed, work done or material furnished shall be presented to the board in duplicate, and shall be passed upon by said board only at regular sessions thereof, and after careful examination of every item named. If found correct they shall audit the same, preserving one duplicate and transmitting the other as audited and allowed, to the state Auditor and shall issue a certificate to the effect that services have been rendered or material furnished, and the person therein named is entitled to a warrant for the amount therein named. Upon the presentation of said certificate and a duplicate of the vouchers therefor, as audited and approved by the board, as herein provided to the State Auditor, he shall draw his warrant on the "State Capitol Building Fund" for the amount stated, and to the order of the person named in said certificate; Provided, that no certificate shall be issued in excess of the amount appropriated for that year; and all certificates issued shall be recorded in a book for that purpose.

Sec. 15. Capitol Building Fund. In order to carry out the provisions of this act and any act which may at any time hereafter be passed for the construction of the state capitol building, there is hereby created a state fund to be known as the "State Capitol Building Fund," into which fund and to the credit of which shall go the proceeds of all money already derived or that may hereafter be derived from the sale or rental of such lands as may have been or may be granted to the state of South Dakota for the purpose of constructing public buildings at the capital of the State of South Dakota, and all of the money aforesaid already

realized and as fast as realized hereafter from time to time, shall be forthwith paid over to the state treasurer and by the state treasurer placed to the credit of such fund; and there shall be paid into said fund such sums as may be directed by the acts of the legislature from time to time as by law provided, now or hereafter.

Sec. 16. Appropriations. In order to carry out the provisions of this act, there is hereby appropriated out of the State Capitol Building Fund, the sum of one hundred thousand dollars (\$100,000) for the fiscal year ending December 31, 1905; one hundred and fifty thousand dollars (\$150,000) for the fiscal year ending December 31, 1906; provided that no appropriations shall be made for said sums or any part thereof from any fund except the fund derived from the sale or rental of lands granted for erecting public buildings at the state capital, except as herein-after provided. And provided further, that warrants issued against said fund shall be called in and paid from time to time in the order of their registration whenever money shall accumulate to the extent of five hundred dollars (\$500) or more in said fund, and provided also that said warrants shall draw interest from the date of their registration at the rate of five per cent per annum payable annually.

Sec. 17. In order to carry out the provisions of this act and to provide for the payment of warrants and interest accruing or which may accrue on warrants drawn on the state capitol building fund and to erect said building, there shall be transferred in each of the years 1905 and 1906 from the general fund to the credit of the state capitol building fund the sum of twenty five thousand dollars (\$25,000) and one hundred thousand dollars (\$100,000) in each succeeding year after the year 1906 until the completion of the said capitol building and until the warrants drawn on said state capitol building fund shall have been paid, and there is hereby appropriated out of the general fund of the state not otherwise appropriated the sum of twenty-five thousand dollars (\$25,000) for the fiscal year ending December 31, 1905, and the sum of twenty-five thousand dollars (\$25,000) for the fiscal year ending December 31, 1906, to carry out the provisions of this act, and the said treasurer is hereby required to transfer said sums from the general fund to the state capitol building fund.

Sec. 18. It is hereby made the duty of the commissioner of

school and public lands at any time it may be necessary to replenish the fund designated as the state capitol building fund, against which warrants may be drawn, to sell at not less than the minimum price per acre, that now is or may be hereafter by law provided for the class of lands devoted to such fund, to-wit: The lands granted to the state of South Dakota for the purpose of constructing public buildings at the capital of said state, enough of said land to provide a sum of money each year equal to the amount appropriated for said fund for such year, such sale to be conducted in the same manner as is now or may be hereafter by law provided; provided, however, said warrants may be extended from year to year by payment of interest thereon, and the receipt of interest on said warrants by the holder thereof shall operate as an extension of one year's time within which payment of such warrants shall be made and such interest may and shall be paid by warrants drawn on the state capitol building fund. If sufficient amount of said land shall not or cannot be sold at the minimum price during the years 1905 and 1906 to provide the sum of two hundred and fifty thousand dollars (\$250,000) as herein provided, the commissioner of school and public lands shall thereafter continue to sell said lands and pay the proceeds thereof into the said state capitol building fund until sufficient money has been provided by said sale, including the amount received for rentals to equal the sum of two hundred and fifty thousand dollars (\$250,000) and in like manner, when sufficient land has not been sold in any year to provide a sum equal to the appropriation for that year, said commissioner shall continue to sell said land until such sum has been realized for each and every year, and the proceeds from all of said lands, whether in the form of money, or bonds or notes secured by mortgages, shall be a trust fund and applied strictly to the payment of warrants drawn on the state capitol building fund.

Sec. 19. There shall be transferred from the state capitol building fund to the general fund, for the years 1907 and succeeding years, from moneys derived from the sale of said lands, a sum equal to the sum transferred for said year from the general fund to the state capitol building fund, and said commissioner

of school and public lands shall continue to sell said land until a sum of money has been provided equal to the sum and respective sums transferred from the general fund to the state capitol building fund, the intent of this section being to provide means for repaying the general fund all moneys transferred therefrom to the the capitol building fund for the years 1907 and succeeding years.

Sec. 20. The commissioner of school and public lands and said board sitting jointly, shall act as a board of appraisers, and as such board of appraisers shall fix a minimum price at which said lands may be sold and shall determine the terms of sale of said lands, and provide rules and regulations for the sale of the same by the commissioner of school and public lands, provided that at least twenty-five per cent of the purchase price of said lands shall be paid in cash at the date of the purchase thereof, and that the unpaid balance shall be secured by a note or bond secured by a mortgage covering the land so sold, drawing interest at the rate of not less than five per cent per annum, payable annually.

It soon became manifest that for various reasons this bill would meet with opposition. The state administration was pledged to the strictest economy in expenditure. Very many were of the opinion that the capitol building lands could never be sold for a sufficient sum to realize the million dollars which the bill carried. Mr. Sutherland did not abandon hope for his original bill but permitted his committee to report with it a substitute bill carrying a blank sum to be filled by the house and generally much simpler in its terms than his original proposition. The two bills were considered together in committee of the whole and the substitute bill somewhat modified by amendments was adopted and with some further amendments and limitations imposed by the senate, was enacted into law and became Chapter 163 of the Laws of 1905. For convenience this act is herewith printed:

STATE CAPITOL BUILDING.

CHAPTER 163.

(H. B. 142.)

RELATING TO STATE CAPITOL.

AN ACT ENTITLED AN ACT Relating to the Creation of a State Capitol Commission to Provide for the Erection of a Building for Capital Purposes on Block Twenty-one (21), in the Fourth (4th) Railway Addition to the Town, now City of Pierre, in the County of Hughes, State of South Dakota, and to Provide Funds for That Purpose.

Be It Enacted by the Legislature of the State of South Dakota:

Section 1. That for the purpose of procuring the erection and completion of a building to be used for state capitol purposes by the state of South Dakota on block twenty-one (21), in the Fourth (4th) Railway addition to the town, now City of Pierre, in the county of Hughes, state of South Dakota, known as the capitol grounds, there is hereby created a board to be known as the state capitol commission. Said board shall consist of four members, to be composed of the governor, secretary of state, state auditor and commissioner of school and public lands, who shall serve as members of said board without compensation. The governor shall be ex-officio chairman of said board. A majority of said board shall constitute a quorum. Said board shall procure the erection of a building on the above described premises, known as the capitol grounds, and complete same, which shall be adapted and designed for occupancy by the supreme court, and the judges and officers of said court, and for the proper disposition and placing therein of the supreme court library and other libraries belonging to the state of South Dakota, and other valuable records and papers and property of said state. Said board shall have power to prepare the said grounds for said building and in providing plans and specifications for the said building may also adopt plans and specifications for a complete capitol building, in order that the building to be erected by said board may be a symmetrical part of a complete capitol building. Said board is empowered to employ an architect and to do and

perform any and all acts necessary to enable the said board to carry out the provisions of this act.

Sec. 2. In order to carry out the provisions of this act and for the purpose of constructing said building, and to prepare the said grounds for the erection of the same, and to procure the said plans and specifications, the commissioner of school and public lands of the state of South Dakota is authorized and empowered and shall sell or dispose of sufficient of the lands granted to the state of South Dakota for the purpose of constructing buildings at the capital of the state, and may proceed to raise a sufficient sum in cash by the sale of such lands which, with the amount now in the treasury of the state of South Dakota already realized from the sale or rental of such lands, and which may hereafter be received by the state of South Dakota from such sales or rentals, until the sum so raised amounts to \$150,000, and that such part of said amount now in the treasury from the sale and rental of such lands, and such other and further sums of money which may be raised from sales and rentals hereafter of such lands, aggregating the total sum of \$150,000 is hereby declared to be and is made a fund in the state treasury known as the state capitol building fund, and that so much of said amount now in the treasury, raised from the sale or rental of such lands and to be raised by the sale and rental of lands hereafter as aforesaid, until said sum aggregate the sum of \$150,000, is hereby appropriated and placed to the use and disposal of the said capitol commission, to be used for the purposes hereinbefore provided for, if deemed advisable by the majority of the members of said capitol commission. Said lands prior to their sale shall be appraised in the manner now provided for by law for the appraisal of school lands. The board of school and public lands shall fix the minimum price of said lands at not less than \$10 per acre, which shall be the least amount per acre at which they may be sold, and shall determine the manner of sale and make rules and regulations for the sale of any of said lands by the commissioner of school and public lands. In case any of said lands are sold partly for cash and partly on time payments, the proceeds of the cash payments shall be covered into the said capitol building fund in the state

treasury, and the cash proceeds on time payments, when due and collected, shall be covered into said capitol building fund in the state treasury. And it is hereby especially provided, that none of the said time payments or evidences of the same shall be in any manner hypothecated, or pledged, sold or discounted in any manner by the state capitol commission for the purpose of raising cash for the said capitol building fund. Said sum of \$150,000, or so much thereof as may have been raised, as herein provided, shall be available for use by said capitol commission for the purposes hereinbefore designated during the period between July 1, 1905, and June 30, 1907, in the discretion of said board. It is hereby declared to be the intent and purpose of this act that all moneys expended by said state capitol commission in the construction and erection of said building or in carrying out any of the purposes provided for by this act, shall be raised as hereinbefore provided and from the amount now in the treasury in such fund raised from the sale and rental of such lands, and shall not be taken from the general fund of the treasury, nor shall any moneys be expended by said state capitol commission until the same shall have been raised as hereinbefore provided and covered into said capitol building fund.

Sec. 3. Disbursements. All disbursements on account of said building, and expenses incidental thereto, shall be made pursuant to certificate by the board, signed by a majority of said board. All claims, bills and demands for labor performed, for all materials furnished or other expenses, shall be presented to said board in duplicate and shall be passed upon by said board. If found correct, said board shall audit the same, preserving one duplicate and transmitting the other as audited or allowed to the state auditor, and shall issue a certificate to the effect that services have been rendered or materials furnished, and the person named therein is entitled to a warrant for the amount named therein. Upon the presentation of said certificate, the state auditor shall draw his warrant for the amount allowed, to the order of the person named in said certificate, and said warrant shall be paid by the state treasurer upon demand, out of the state capitol building fund, provided, that no certificate shall be issued or debt

created at any time in excess of the amount of cash in such state capitol building fund when such certificate is issued or debt created.

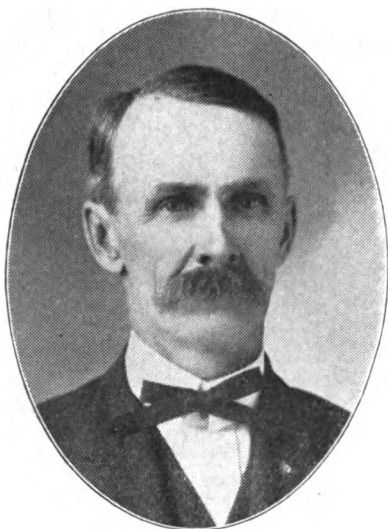
Sect. 4. Reports. Said board shall on or before the 30th day of October, 1907, prepare and file with the governor of the state for his use, and for the use of the legislature, a full, detailed report of all their transactions to said date, containing an itemized and classified statement of all expenditures.

Sec. 5. Emergency. Whereas, an emergency is declared to exist, and does exist, this act shall be in force and shall take effect from and after its passage and approval.

Approved, March 2, 1905.

While this bill was pending in the legislature, most of the state officials were interesting themselves in acquiring information pertaining to state capitols, the cost and the conveniences thereof, and at that juncture Volume four of the Collections of the Montana Historical Society was received in the state library, and was found to contain a complete history and description of the Montana capitol. The librarian at once took this volume to Governor Elrod who was strongly impressed with the appearance of the Montana building and with characteristic enterprise, dispatched a telegram to Governor Toole of Montana to ask of he could recommend the architect who provided the plans for their building. Governor Toole wired a strong commendation of the architect, Mr. C. E. Bell, of Minneapolis, and within a few hours Mr. Bell was in Pierre with a complete outfit of the plans of the Montana building, and by common consent of the state officials, capitol commission, and legislature, they were at once adopted and no other means of securing plans was thereafter seriously considered.

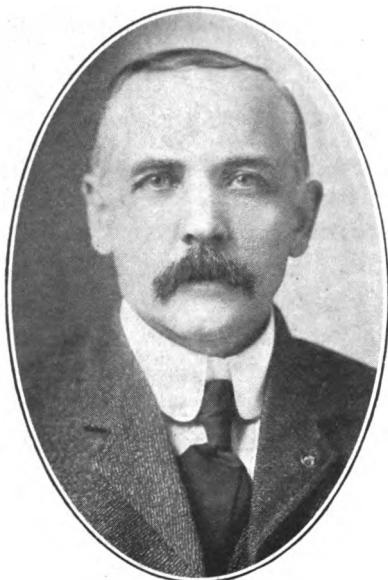
The capitol commission provided for by the act of the legislature, consisted of Hon. S. H. Elrod, governor; Hon. David D. Wipf, secretary of state; Hon. J. F. Halliday, auditor; Hon. C. J. Bach, commissioner of school and public lands. The commission met at Governor Elrod's office on April 14 and organized by the choice of Governor Elrod for chairman and Auditor Halliday for secretary. The early action of the commission is herewith extracted from the first official report of that body.



HON. S. H. ELROD



HON. J. F. HALLADAY



HON. C. J. BACH



HON. D. D. WIPF

"After organization the first official act of the commission was to make a trip to Helena, Montana, for the purpose of viewing the capitol building of that state. The Montana capitol buildings was selected because of the fact that the appropriation in Montana was of about the same amount as that appropriated by South Dakota for the same purpose, and the commission had been given assurances that the state of Montana had secured a very acceptable building within the appropriation. The commission, accompanied by Mr. C. E. Bell, an architect of Minneapolis, who drafted the plans and built the Montana building, made a thorough investigation of said building and found it to be very acceptable in every sense of the word. The commission interviewed the state officers of Montana, members of the commission that had created the building, and citizens generally, and the consensus of opinion was that Montana had the best capitol building for the money to be found in the United States. The commission returned from Montana and after making some changes which would better the building for South Dakota's needs, let the contract for plans and specifications to Messrs. Bell and Detweiler. A number of changes in the Montana plans were found necessary to fit South Dakota's case. The building is to be forty-one feet longer, the dome larger and higher, some changes in the exterior architectural designs, and the rooms rearranged to comply with our needs, the statute of our state providing for some officials that Montana's needs did not require. Therefore, while we have followed the general plan of the Montana building, yet it became necessary for the architects to draft new plans and specifications for our use. However, by adopting these plans instead of advertising for plans and specifications to be submitted, the commission has saved the state from \$7,000 to \$10,000 that it would have been compelled to offer in premiums under the system of competitive bids by architects.

This matter being settled, the question of material with which to construct the building was taken up. The commission made a trip to Bedford, Indianapolis and Chicago, investigated thoroughly the quality of Bedford stone and the cost, examined a number of buildings erected from this material, among them the capitol building of Indiana, and the new federal building being erected

at a cost of six million dollars at Indianapolis, and returned fully satisfied with the quality and beauty of this popular building stone. The commission also visited the stone quarries at Sioux Falls and Hot Springs, South Dakota, thoroughly investigating the quality of the stone at these places as well as the probable cost and the facilities for furnishing the amount of stone that the commission would necessarily have to purchase.

On August 8, 1905, the commission advertised for bids for the foundation of the east wing of the proposed building, said foundation to be built of native stone or hard heads. C. Lepper, of Minneapolis, being the lowest bidder, was awarded the contract and finished the job during the working season. The commission was highly gratified with the job turned over by Mr. Lepper."

On January 16, 1906, the capitol commission advertised for bids for the erection and heating of the superstructure of the east wing, bids to be opened upon April 3rd, but a complication grew up which quite altered their plans. With the small amount of money in hand the commission were of course desirous of getting the best possible structure and the bids were submitted in such a way that stone from any quarry might be adopted according to the cost of its use. This brought the South Dakota granite in direct competition with softer stones of outside quarries. The pride of the people of the state was involved and there was quite a general demand that only South Dakota material should be used in the construction of the new capitol. Under the terms of the competition it was at once manifest that Sioux Falls granite could not successfully compete with the Indiana limestone and it was determined to attempt to hold up the whole procedure until additional legislation could be secured. Therefore, when the day for opening the bids arrived, Mr. W. B. Davenport, on behalf of the Sioux Falls Board of Trade, secured from the supreme court an order in the nature of a writ of prohibition enjoining the capitol commission from further action. The matter was duly argued before the supreme court and the commission was sustained in every particular (see vol. 20, Supreme Court Reports, page 567) but due to the delay, and the general criticism of the

use of foreign material, the commission decided to take no further action until the legislature had reviewed the subject.

Whether or not South Dakota stone should be used in the construction of the new capitol was more or less of an issue in the political campaign of 1906 and at the election that fall Hon. Coe I. Crawford was chosen for Governor; Hon. John Hirning for Auditor; and Hon. O. C. Dokken for Commissioner of Schools and Public Lands, thus changing three of the four capital commission. In the Pierre district Hon. Ivan W. Gooner was elected State senator and to him fell the duty of promoting the legislation pertaining to the new capitol. This was done in the form of amendments to the Sutherland bill of 1905. (See Chap. 83, Laws of 1907.) In its chief feature it provided for the construction of the entire capitol, removed the \$10 minimum limit on the sale of the capitol building lands, leaving the Commissioners free to sell any of the lands at any price deemed adequate, fixed the total limit of expenditure for the whole building at \$600,000 and provided a five per cent deferential in favor of South Dakota stone. That is, the commission was required to use South Dakota stone in the structure provided the total cost should not be increased more than five per cent thereby. The new commission found that the former commission had expended for plans, incidental expenses, and for the construction of the foundation of the east wing \$17,695.94, and that there was in the treasury \$84,405.83 belonging to the capitol building fund, the proceeds of the sales of the public lands.

The new commission promptly organized and advertised for bids for the construction of the new building and on June 4th, 1907, the contract was let to Mr. O. H. Olson of Stillwater, Minnesota, the lowest bidder, for the sum of \$540,525. Hon. S. H. Lea, state engineer, was appointed superintendent of construction. Herewith is a brief account of the process of the construction work written by Contractor Olson.

"In giving the history of the building of the state capital for the state of South Dakota, I will briefly state that I spent five weeks of hard work figuring on the job. Bids were opened on the 4th of June, 1907, and the contract was awarded to me on June 5th, on the basis of Ortonville granite, Sioux Falls jasper and Bed-

ford stone. The bids ranging from \$540,525 (my bid), to \$650,000. Work was commenced in July, as near as I can remember, on the excavation, which took about four weeks to complete. Owing to the inability of the East Sioux Falls Co-Operative Stone Company of Sioux Falls to furnish the Jasper at a definite time, the work was delayed fully six months, because of the fact that it was late in the fall before a thorough understanding could be had with the Sioux Falls Stone company. Marquette Raindrop was substituted for the Sioux Falls stone. This is a very handsome

**HON. O. C. DOKKEN****HON. JOHN HIRLING**

and durable stone and in purchasing it the state saved several thousand dollars. But, since this stone cannot be quarried in cold weather, no headway could be made with the work until the following spring.

In the meantime, the capitol commission decided to raise the foundation of the building two feet higher than originally contemplated in the architect's plan in order to get a better elevation, which was a very wise move. Owing to the delay in getting stone for the superstructure, the foundation was the only work that could be done during the season of 1907.

Operations started again in March, 1908, and the structure was erected up to a point level with the peak of the roof, and the roof of the wings put on. The progress made during the season of 1908 was considered remarkable. With a force of an average of sixty-five men, laborers and mechanics, and three huge derricks, about 100,000 square feet, surface measurement, of stone was set. 2,500,000 brick were laid, 300 tons of iron set in place and 70,000 cubic feet of concrete put in place. Work for the season was suspended December 19th, and with the exception of a few men working on the inside, active operations was not started again until March, 1909.

The large center derrick was raised to a point level with the tower deck and the erection of the dome commenced. The slow, intricate work around the tower deck, with pediments and balustrade around, approaching the part of the circular part of the dome, was slow work, but considering the fact that there is a hundred tons of iron, 350,000 brick and thirty cars of cut stone besides a mass of concrete, the work was pushed along with such vigor that the last stone was set on June 25th, just one year from the time, to the exact day, that the corner stone was set. The curved steel rafters for the dome were hustled in place and the work of concreting and enclosing the dome was pushed as rapidly as possible under the difficult conditions connected with this class of work.

In the meantime, the interior work was pushed along, plastering was started April 15, 1909. The marble and mosaic floor work was started about May 1st. The plastering was finished October 3, 1909, and the marble and mosaic and scagliola work March 1, 1910. The interior marble work was done by the Drake Marble and Tile Company of St. Paul, the plain and ornamental plastering by J. T. Cook of St. Paul under sub-contract. All of this ornamental stucco work and enrichments was modeled and cast in the building.

The total amount of material in the building is as follows:

Field boulders for foundation, 200 cords.

70,000 cubic feet of cut stone.

Three million brick.

10,000 barrels of cement.
400 ton of structural steel and ornamental iron.
40,000 pounds of copper for roof covering.
150 tons of steel reinforcement.
25,000 square yards of plastering.
\$18,000 of ornamental plastering.
30,000 square feet of mosaic marble floor work.
25,000 feet of marble work.
60,000 square feet of hardwood floors.

THE ELECTRIC WORK INCLUDED

two Ideal engines and two electric elevators, amounting to \$30,000, vault doors, ornamental iron and stair work and hardware amounting to about \$25,000; interior wood finish and glass amounted to about \$25,000. These are, in substance, the quantities of material in the building.

The different material and sub-contracts were furnished as follows, viz:

Exterior cut stone, G. H. Young Company of St. Paul.

Structural steel and iron work by the St. Paul Foundry Co. of St. Paul.

Reinforced concrete and steel engineering by C. A. P. Turner of Minneapolis.

Tile and marble work by the Drake Marble and Tile Co. of St. Paul.

Interior wood work by the Stillwater Manufacturing Co. of Stillwater, Minn.

Roofing and sheet metal work by the Minnesota Roofing and Cornice Works of St. Paul.

Electric work by Nimis & Nimis of St. Paul.

Glass by the Pittsburgh Plate Glass Company of Minneapolis.

Painting and varnishing by W. H. Dennis & Son of Seattle, Wash.

Ornamental iron by Brown Brothers Mfg. Co. of Chicago.

Elevators by the Otis Elevator Co. of Chicago and New York.

Scagliola and artificial marble by the Henry Marble Co. of Chicago.

Plastering and ornamental stucco work by J. T. Cook of St. Paul.

All of the sand and gravel and hauling of all material was done by E. C. Kindley of Pierre; about twenty thousand cubic yards of sand and gravel was used.

The work in general was carried on my personal supervision; Ben Olson was the general foreman, Frank Steinhorst was the foreman of the carpenters and interior finish as well as the iron work and reinforced concrete work. Swan Anderson, called the "Terrible Swede," was sub-foreman on the false work, framing and iron work, helping with the rigging and moving of derricks. Harry A Olsen was the general clerk, as well as timekeeper and pay-clerk, and had charge of the consignment of the material and assisted in the construction work, looking after the diagrams and numbers of cut stone and selecting stone. Other trusted employees were N. W. Glass and Martin Vordal, being special men in handling and unloading stone and other material and for the concrete work. Handling the derricks were Ole Olsen, Charles Anderson and Frank Carlson, expert hoisting engineers, rendering valuable service.

Among the difficult problems was the raising of the derricks from floor to floor, the hoisting and placing of the heavy steel girders around the tower deck and heavy roof trusses. The most difficult and dangerous work was the raising and the setting of the large columns at the main entrance and the lintels over the portico carrying the wall and cornice above the columns, but it all went without a hitch of a serious kind.

The relations with the capitol commission, architect and superintendent have been agreeable and pleasant, everything having been based on honest, fair dealings. While working under two different commissions, everything has been harmonious, and while the commission has watched keenly the interest of the state, they have always been kind and considerate and all the business has been handled and transacted in an honest, upright, business-like manner.

I have the greatest regard and kindest feeling toward all of the members of the capitol commission as well as the architect,



O. H. OLSEN
Contractor



C. E. BELL
Architect



BEN OLSON
Foreman



FRANK STEINHORST
Head Carpenter

Mr. Bell, and the state superintendent, Mr. Samuel H. Lea, and the kindness and courtesy shown by the entire capitol force from the governor to the janitor, is thoroughly appreciated. I am especially grateful to Senator Crawford, as the first chairman, and Governor Vessey, as the present chairman of the commission, and I want to say the welfare of the state and the individual have been and is now taken care of on the basis of what is right and just, whether Jew or Gentile.

The people of Pierre have been most agreeable and it is with considerable regret and reluctance that I part with the people I have met, mingled and done business with, but feel assured I have given the best of my services to the state and will say without fear of contradiction, that no state in the union has received better services or better values for the expenditures, and no state in the union has as pretentious a state capitol for the amount of money invested, as the state of South Dakota."

O. H. OLSON.

LAYING THE CORNER STONE.

The corner stone of the new capitol was laid June 25, 1908, under the auspices of the Grand Lodge of Masons for South Dakota, Grand Master J. J. Davenport of Sturgis, being master of ceremonies.

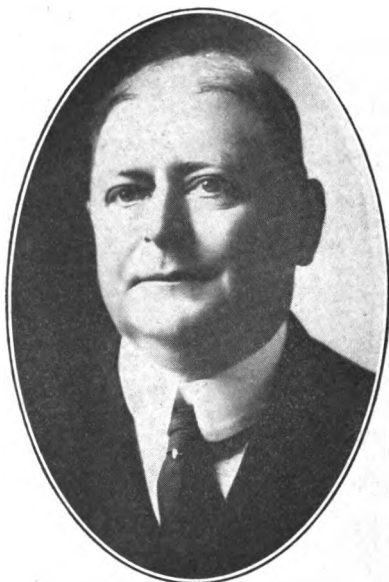
The procession formed in front of the Locke Hotel at 3:15 p. m. Civil officers of the city and state when joined in the procession, formed in the rear of the Grand Lodge, under escort of the band.

Arriving at the site of the new building, the Grand Lodge passed the escort and took their position on the platform provided. The grand master then commanded silence and the ceremony began with the singing of an ode.

The grand chaplain, John Askin, D. D., offered the following prayer:

"Almighty God, of Whose righteous will all things are, and were created; Who liftest the islands out of the deep—and prearest not in vain the habitable world; Thou has gathered our people into a great nation, and sent them to sow beside all waters,

and multiply sure dwellings on the earth. Deepen the root of our life in everlasting righteousness; and let not the crown of our pride be as a fading flower. Make us equal to our high trusts, reverent in the use of freedom; just in the exercise of power; generous in the protection of weakness. With all Thy blessings bless Thy servant the governor of our beloved state; fill his heart with such loyalty to Thee that the people of this commonwealth may be exalted by their loyalty to him. To our legislators and



SAMUEL H. LEA
Superintendent

counsellors give insight and faithfulness, that our laws may clearly speak the right, and our judges purely interpret it. Let it be known among us how thou hatest robbery for burnt offering; that the gains of industry may be all upright, and the use of wealth considerate. May wisdom and knowledge be the stability of our times, and our deepest trust be in the, the Lord of Nations and the King of Kings."

The grand master directed the grand secretary to read the list of various articles to be deposited in the stone, which was as follows:

Coins of 1907.

Building contract.

Capitol bills of 1905 and 1907.

Holy Bible.

History and government of South Dakota.

Brief history of South Dakota.

Ordinance of 1787.

Blue books of 1905 and 1907, containing constitutions of the United States and of the state of South Dakota; also state directories.

Inaugural address of Governor Samuel H. Elrod to the 9th legislative session.

Biennial message of Governor Samuel H. Elrod to the 10th legislative session.

Inaugural address of Governor Coe I. Crawford to the 10th legislative session.

Photographs of Samuel H. Lea, superintendent of construction; O. H. Olsen, contractor; General W. H. H. Beadle, speaker of the day; Hon. John Sutherland, introducer of state capitol building bills, 1905; I. W. Goodner, introducer of state capitol building bill, 1907; Governor Coe I. Crawford, and Hon. D. D. Wipf.

Negative of old capitol building and negative of architect's drawing of new capitol building.

Copy of Constitutional Debates, South Dakota.

Copy Revised Codes, Dakota, 1877.

Session laws, 1907.

Copy of program rendered at laying of cornerstone South Dakota capitol building at Pierre, June 25, 1908.

Annual reports of 1907 of the following state officers; state auditor, treasurer, secretary of state, commissioner of school and public lands and superintendent of instruction.

Newspapers: Pierre Dakotan, Pierre Capitol-Journal, Pierre Free Press, Pierre New Era, Sioux Falls Daily Press, Sioux Falls Daily Argus-Leader, Aberdeen American, Aberdeen Daily News, Yankton Press and Dakotan, Deadwood Telegram, Rapid

City Journal, Dacotah Magazine, Commercial News, Eureka Volkzeitung, Sioux Falls Posten and the Woman's Journal.

The grand treasurer then deposited in the cavity prepared for the purpose the box containing the several articles of deposit.

The cornerstone was then lowered into its place, during which ceremony soft music was rendered by the band.

The principal architect then presented the working tools to the grand master, who handed the square to the deputy grand master, the level to the senior grand warden, and the plumb to the junior grand warden, when the grand master addressed the grand officers as follows:

Grand Master: Right Worthy Deputy Grand Master, what is the proper jewel of your office?

Deputy Grand Master: The square.

Grand Master: What are its moral and Masonic uses?

Deputy Grand Master: To square our actions by the square of virtue and prove our work.

Grand Master: Apply the implement of your office to that portion of the foundation stone that needs to be proved, and make report.

The deputy applied the square to the stone and said:

Deputy Grand Master: Most Worshipful, I find the stone to be square. The craftsmen have performed their duty.

Grand Master: Right worthy Senior Grand Warden, what is the jewel of your office?

Senior Grand Warden: The level.

Grand Master: What is its Masonic use?

Senior Grand Warden: Morally, it reminds us of equality, and its use is to lay horizontals.

Grand Master: Apply the implement of your office to the foundation stone and make report.

This was done.

Senior Grand Warden: Most Worshipful, I find the stone to be level. The craftsmen have performed their duty.

Grand Master: Right Worthy Junior Grand Warden, what is the proper jewel of your office?

Junior Grand Warden: The plumb.

Grand Master: What is its Masonic use?

Junior Grand Warden: Morally, it teaches rectitude of conduct, and we use it to try perpendiculars.

Grand Master: Apply the implement of your office to the several edges of the foundation stone and make report.

This was complied with.

Junior Grand Warden: Most Worshipful, I find the stone is plumb. The craftsmen have performed their duty.

Grand Master: This corner stone has been tested by the proper implements of Masonry. I find that the Craftsmen have skillfully and faithfully performed their duty, and I do declare the stone to be well formed, true and trusty, and correctly laid, according to the rules of our ancient Craft.

Let the elements of Consecration now be presented.

The Deputy Grand Master came forward with the vessel of corn, and, scattering it on the stone, said:

I scatter this corn as an emblem of plenty. May the blessings of bounteous Heaven be showered upon us and upon all like patriotic and benevolent undertakings, and inspire the hearts of the people with virtue, wisdom and gratitude.

The Masons responded: So mote it be.

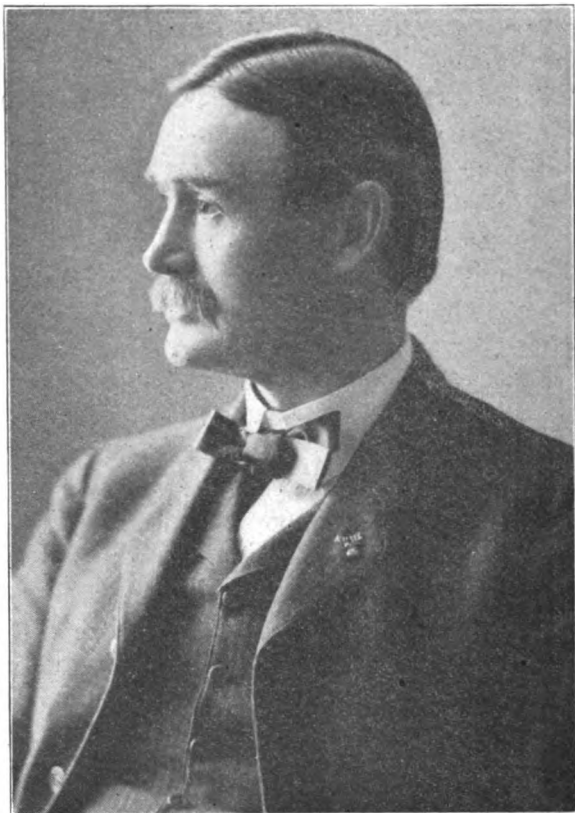
The Senior Grand Warden came forward with the vessel of Wine and poured it upon the stone saying:

I pour this Wine as an emblem of joy and gladness. May the Great Ruler of the Universe bless and prosper our national, state and city governments, preserve the Union of the States, and may it be a bond of Friendship and Brotherly Love that shall endure through all time.

The Masons responded: So mote it be.

The Junior Grand Warden then came forward with a vessel of Oil, which he poured upon the stone, saying:

I pour this Oil as an emblem of peace. May its blessings abide with us continually, and may the Grand Master of Heaven and earth shelter and protect the widow and orphan, shield and defend them from the trials and vicissitudes of the world, and so bestow his mercy upon the bereaved, the afflicted, and the sorrowing that they may know sorrow and trouble no more.



HON. COE I. CRAWFORD

The Masons responded: So mote it be.

The Grand Master, standing in front of all and extending his hands, made the following invocation:

May the all-bounteous Author of Nature bless the inhabitants of this place with an abundance of the necessities, conveniences and comforts of life; assist in the erection and completion of this building; protect the workingmen against every accident; long preserve the structure from decay; and grant to us all a supply of the corn of nourishment, the Wine of refreshment, and the Oil of joy. Amen.

The Masons responded; So mote it be.

The Grand Master struck the stone three times with the gavel and the public grand honors were given.

The Grand Master then delivered over to the Architect the implements of architecture and said:

Worthy Brother: Having thus, as Grand Master of Masons, laid the foundation stone of this structure, I now deliver these implements of your profession into your hands, intrusting you with the superintendence and direction of the work having full confidence in your skill and capacity to conduct the same.

Hon. Coe I. Crawford, governor then introduced the speaker of the day in the following eloquent address.

This is indeed an event of unusual interest. It marks the passing of a new commonwealth from the end of its second decade to a higher, wider and more secure place among the vigorous and growing political units of the West. In a larger sense the growth of a state is like the growth of an individual. The first straggling and struggling settlements of pioneers upon the virgin prairies of a new territory, and their subsequent expansion into cohesiveness and continuity, the establishment of a territorial form of government as the first step in the building of a State, the organization of the little republics we call townships, and school districts, and counties, the creation of the first courts, the organization of the first legislative bodies, the enactment of the first code of laws, the opening of the first schools, the building of the first churches, and the election of the first officers, may be

likened to the beginning and development of life in the individual from birth to young manhood. So our noble young state is approaching its majority. Only a few months more and she will be twenty years old. She is leaving the crude and simple forms of her first years and entering into a more complex field of larger experience and influence and greater responsibility,—the influence and responsibility that comes with maturity and power.

As the period of infancy and childhood passes away, as the dugout and the shanty of the pioneer are torn down and the comfortable farm house takes their place; as the handsome new court house, and school house and church come in these days of prosperity to replace the cruder and cheaper buildings that preceded them, so a new and splendid edifice is to be erected here as the capitol of our state. We are thankful today for the magnificent grant of land which the federal government donated to South Dakota for the purpose of erecting public buildings at the capital which has made it possible to build a splendid structure here without cost to the taxpayers of the state. I am indeed glad to have this opportunity to congratulate the people of Pierre whose public spirit and sacrifice furnished to the state the building we have been using for a capital during these twenty years, that they are soon to have their reward. The new capitol will do more than comfortably accomodate the officers who are to labor within its walls for the people whom they will serve. It will stand throughout the coming years as an expression of beauty and art, and as the people come and go and linger within its walls, they will see in it an expression of the soul of the state. And now, my fellow citizens, I wish to congratulate you further upon the fact that it is our splendid good fortune to have with us here today as the speaker who will deliver the address we are met to hear, one of the noblest figures in all the history of the Dakotas. A man who has been identified with that history for more than a generation. A man to whose great heart and soul and brain, spent without stint or thought of selfishness for years and years, we are indebted for our magnificent endowment of school lands, and for those far reaching safeguards and constitutional limitations embedded in the constitution of our state, by which it will

always and forever be impossible to lose one dollar of the great and always growing school fund so lavishly dowered upon this state by the federal government. A man universally loved and honored because he has given his life to the very highest form of public service,—the education of youth.

I introduce to you the Grand Old Man of South Dakota, Honorable W. H. H. Beadle.

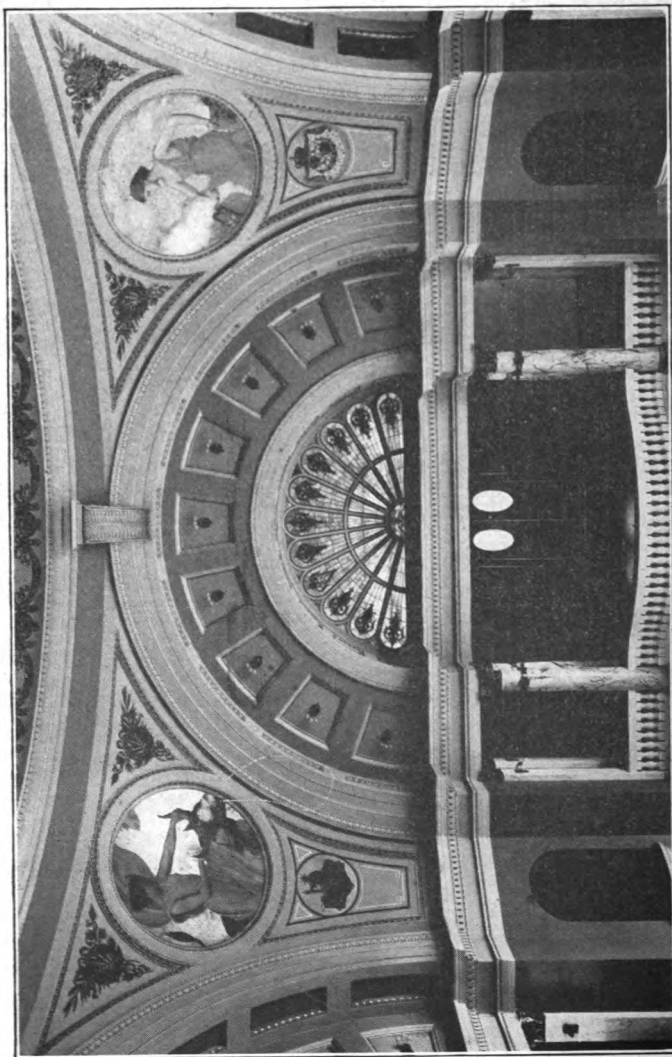
Ladies and gentlemen:—General W. H. H. Beadle of Madison.

THE ORATION.

Mr. President, Ladies and Gentlemen, Fellow Citizens:

The impressive services and the solemn ceremonial that attend the laying of this corner stone of the beautiful Capitol building that rises here, the presence of the distinguished officers and representatives of the state of South Dakota and its people, mark an occasion of singular dignity and importance in the history of our commonwealth. It is the first event of its kind in the annals of our state, and this gives it a significance that no repetition can well approach, however great the consequence the state may attain. It is a landmark of most honorable progress, a celebration of success splendidly won, and a high pledge for the responsible future that awaits us.

After an eventful period of territorial dependence and training, after nineteen years of full membership, in the federal union, the beautiful ensign of which floats over us today, we have now reached the maturity of manhood in development, and here erect the beautiful edifice that shall stand as the representative of the majesty of our commonwealth in liberty, in law, in justice, in equal rights and popular government and all the institutions that adorn the American state, founded in the intelligent will of a free people. The people of the whole state, without exception of race, party or creed, turn with interest and delight to the event of this hour. They look back with pride upon the worthy past, they feel the joy of civil advancement and material prosperity in the present, and catch a still higher inspiration for the full promise of the future. It is well that we today render thanks



IN THE ROTUNDA, LOOKING EAST
The Paintings Are Simon's, "Mining" and "Stock Raising"

to the Great Architect of the Universe who has shown us this delightful land and gives us each hope for the achievement of the future while "Under God the People rule."

The general scene about us is filled with reminiscence and suggestion. It is the central point, the earliest occupied by white man for trade and conference with the native races that held all the region northwest, from the Mississippi. All present who are of full middle age remember when, after years of territorial life, the religion about us was all Indian land. At this point on the river, Lewis and Clark, the Astor expedition, Manuel Lisa, the Chouteaus, General Clark, Fremont and Nicollet and many others met and traded or made terms with the Indians. Your speaker was upon the site of Pierre thirty-one years ago when it was Napoleon's ranch, the home of the French half blood. Early in the spring of 1862 the first hostile act of the Sioux in the war of the outbreak was committed at this point against a steamboat that brought goods and federal agents for their welfare.

From the first settlement in America until this year there had been a constant borderland of danger and daring for the whites, and they have steadily pushed it westward till it is now disappearing in Western South Dakota. This frontier continually removed, reappearing and again overcome is one of the remarkable features of our history and its trials have developed our character and broadened our sympathy and our democracy. The gleam of gold drew the hardy adventures to the enchanted hills on our western limits and stimulated the conquest by the industry of our race of every part beyond the great river that flows by. Where all this wilderness was, we now see the highway of commerce spanning the Missouri with its great steel bridge, and its trains carrying the increasing numbers and trade of our people.

But scenic change, reminiscence and sentiment, however strongly they press upon our attention, can not adequately reflect the importance of this occasion, which is but one point in the progress of the world that has made possible the founding of this great free state in the middle of the Missouri valley. The onward sweep of the ages, like the strides of Homer's gods through space, moved from point to point, and Providence, working in

history left a great freedom loving race of Teutonic people occupying Northwestern Europe.

To branches of this people was left the happy fortune of developing and bringing to our shores nearly every element that makes admirable our civilization and our government. Later the most numerous representatives of the Celtic family followed in great numbers and brightened our mental and social life by wit and eloquence, and led the way along our earlier border. Without them we would not have had Daniel Webster, Sergeant S. Prentiss and many others of our brilliant orators. Later still another branch of the Teutonic race, the Scandinavians, largely helped to people the Northwest and give character and sturdy enterprise to our state.

The Teutons inherited from the past the art, the learning, and the philosophy and culture of Greece; the great gift of Rome in law and central government, the religion of Palestine. Adding all these, they developed undiminished their own personal liberty, their sense of individual independence, their local self government, in high honor in which held woman and the purity and sacredness of their domestic relations.

In England all these elements best united and in time built up and limited the powers of the central government, established more fully local government, and, to a higher degree than elsewhere in the world, personal rights and political liberty with religious freedom. Under their protection as an island she was saved from the evils of the continental states. When the revolution was completed in 1689 her dominant passion became that of liberty, and a writer says, "England was free; indeed she was the only free nation in the world." At the beginning of this final advance by England, America had been discovered and lay untaken until this most propitious moment when every great issue was raised. Then is several Chartered Colonies the whole body of her people's high desires, of her Magna Charta, and, later of revolution, was transplanted to America; from an island to a great continent, where all that was best was emphasized and strengthened. The ideas rapidly advanced and outran their development at home. Finally the United States became the leader

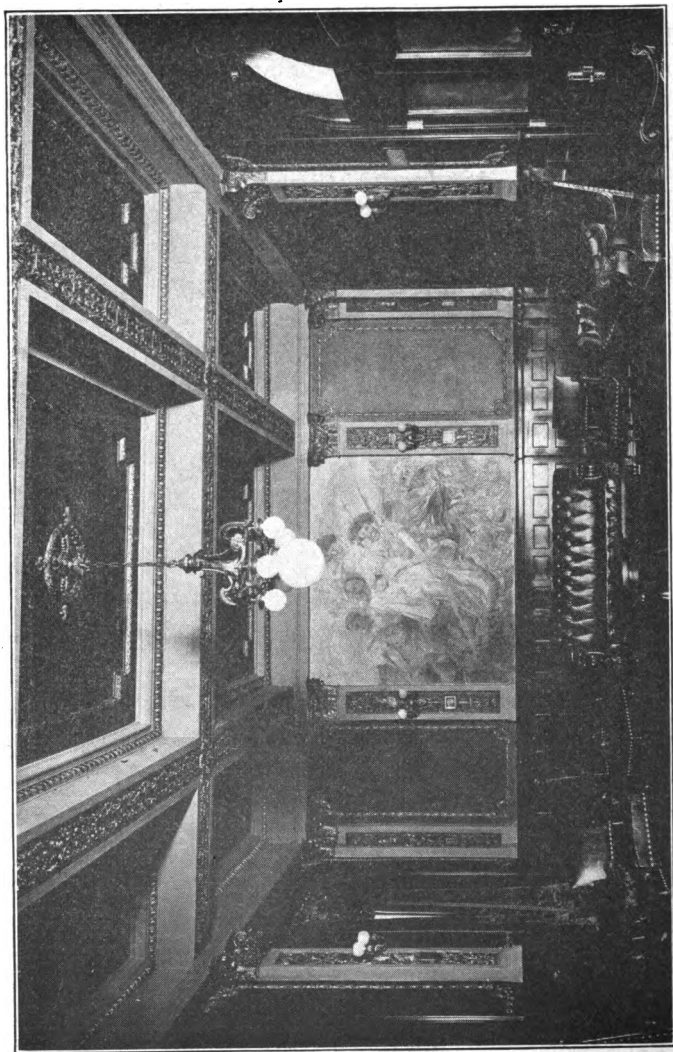
for all the world in free representative government and the highest aspirations of the race.

The states of the American union began in these colonies. In Virginia the first free legislative assembly of the world was chosen. For Massachusetts the first formal constitution was made in the cabin of the Mayflower, a social compact. All New England developed local self government. The legislatures of the colonies secured their reforms by including them in the acts granting the salaries of the governors, and in petition, remonstrance and law. A wonderful training was thus given to the men who later signed the Declaration of Independence and framed the federal constitution.

Fortunate it was for us and all the west and northwest that a body of Massachusetts veterans of the revolution organized to settle in the region northwest of the Ohio river, and planned to purchase from the Congress of the Confederation more than a million acres of land, if the laws and institutions of the new country were made satisfactory. After preliminary resolutions by Thomas Jefferson setting forth the wise principles by which the territory should be treated and made permanent members of the federal union, the congress of the Confederation, under the leadership of Manasseh Cutler, passed, by the unanimous vote of all the states represented, the immortal Ordinance of 1787, alike famous for the wisdom, forethought and statesmanship of its provisions and the great results that flowed from its adoption.

Its purpose was not temporary; its principles were for all time and all circumstances. It was the greatest charter of free government ever granted to any people. This has been substantially the model for all subsequent territorial government except in the matter of slavery, and its provisions have been specifically applied to subsequent territories, including Dakota.

Six of its great provisions were made "Articles of compact between the original states and the people and the states" and some of them are now compacts between South Dakota and the Nation. After the lapse of nearly a century and a quarter every feature seems wise and we could desire none omitted or changed. The first provided for the freedom of worship; the second was



GOVERNOR'S RECEPTION PARLOR
Showing Blashfield's "Progress of South Dakota"

a comprehensive bill of rights; the third should ever be given in its own words; "Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall be ever encouraged"; the fourth declared that the states to be formed from the territory should remain permanently in the nation and share its obligations. The fifth fixed the number of states to be formed from it. The sixth also should be given in its own language: "There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crime whereof the party shall have been duly convicted." Fellow citizens! it is history that this ordinance thereby in effect provided for the extinction of slavery in the United States and the free men trained under it bore the most honorable part in saving the Nation.

Thomas Jefferson is given the chief credit for this famous document, and a great writer has declared that "For him it constitutes a claim to immortality superior to the presidency itself."

The first congress under the constitution resanctioned the ordinance and fixed the details and officers of the government. The constitutional convention was in session when the ordinance was adopted, and this enactment stands as the greatest legislative act in our history and is second only to the constitution in importance. Thus, by this Magna Charta of the northwest, were freedom, education, religious and civic liberty planted and protected in these and other territories of the northwest and many of the elements of their greatness are due to these principles that are destined to live forever. While these compacts are kept the wheels of time will never be turned back. They have given the entire west the most invaluable blessings of individual and general liberty and prosperity.

To say new and valuable things upon an occasion like this is impossible such has been the general uniformity of territorial forms of government and of state making. The same system has been followed in all. The United States controlled more decidedly at first and less so in later territories, as in each one the federal government gave more aid and less restriction as the territory advanced.

This was according to the democratic growth of the nation. When our long border line of occupation passed over the Alleghenies and extended into the Mississippi valley the new states became more democratic in policy and government than the old, and the nation changed in this respect. This affected favorably the territories farther on. Western presidents better understood the new western communities. It was the question of slavery that varied the issues arising in territorial administration. The greatest change otherwise felt in territories was from new administrations at Washington, whether in the same party or to another. "To the victors belong the spoils" was a rule applied for half a century only a little less fully in the former than in the latter case. Whether there were capable and worthy men in the territory, as no doubt there were, in most cases from the first, the territories chose no members of the electoral college. It therefore happened that strangers, wholly ignorant of the territories, their people and their needs were appointed to the highest positions. Executives and judges familiar with the people and the laws were removed to make room for new political favorites. Take such distinguished men as William Henry Harrison, of Indiana Territory, and General Lewis Cass, of Michigan Territory; men who had fought together to win the Northwest from British and Indians, and compare them with some predecessors and successors. John H. Mason, of Virginia, wholly without knowledge of the country and people, was made Secretary of Michigan. Leaving the territory upon private business, he secured, upon his own request as a political favor, the naming as his successor, his son who had not reached his majority.

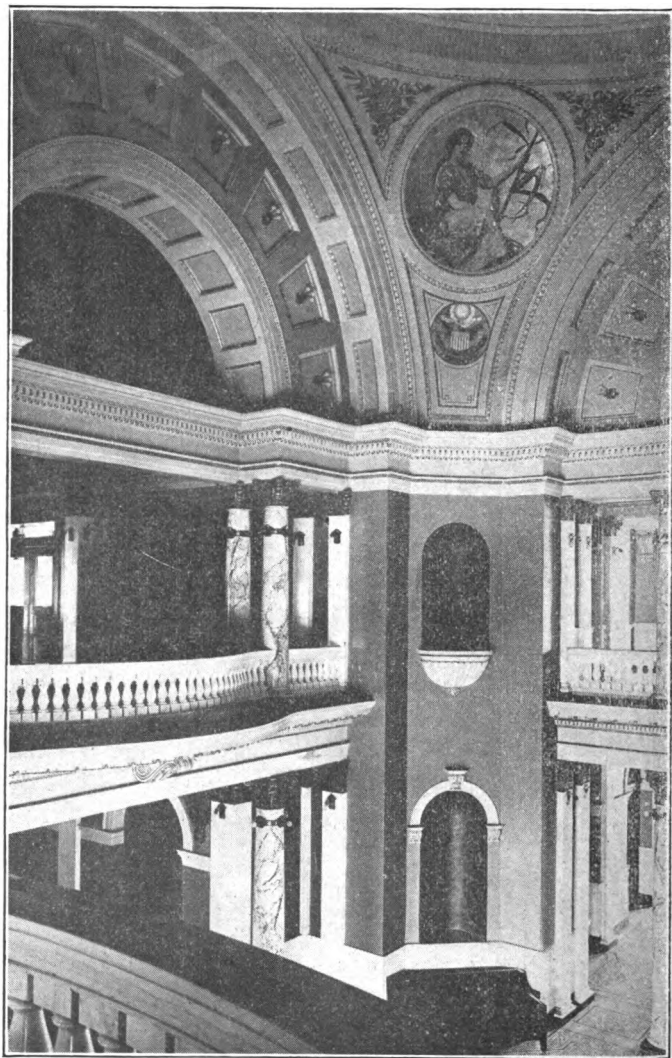
When the successor to General Cass as governor was not for some time appointed, this boy secretary also played as boy governor. In the case of Utah, Brigham Young was territorial governor. President Buchanan in 1857 appointed a successor and Young refused to give up the office and called out the militia to support him. A strong force of federal troops was sent and compelled obedience. They were forbidden to enter the territory and their supply trains were burned. California became a state without territorial life. Such are but a few of the striking events in terri-

torial government, not mentioning those in Kansas and elsewhere due to the slavery issue.

Compared with many, Dakota Territory was fortunate in the main, and, with rare exceptions, the executive and judicial officers appointed to it by the presidents were men of character and ability. Such an experienced executive as William A. Howard would have been a credit to any state in the union. Our second governor, the late Newton Edmunds, was appointed by President Lincoln, from among our citizens, in a most trying time and his services form an honored chapter in our early history, and he lived long a revered and respected citizen. Hon. J. P. Kidder was an early settler, later a judge and delegate. Hon. George H. Hand, a soldier of the Union, was an early settler and was appointed to several positions of trust and served eight years as secretary and was for some time acting governor. In all his life and duties he is held in high honor by our people. Later the choice fell upon our citizens more frequently and the late Hon. G. C. Moody, and after him our distinguished citizen, Hon. Bartlett Tripp, reflected great credit upon our territorial judiciary. Several of those appointed from the outside were promoted by our suffrage to high position; such as Hon. S. L. Spink, and Hon. Granville G. Bennett. Hon. A. C. Mellette, an appointee to a less important office, was made territorial governor and immediately chosen by the new state as its first governor.

So it may be repeated that not only did all territorial government improve as the nation grew older, but our own advanced generally in honor and efficiency toward statehood, as our people increased greatly in numbers and admirably in talent, high aim, and devoted purpose toward the same end.

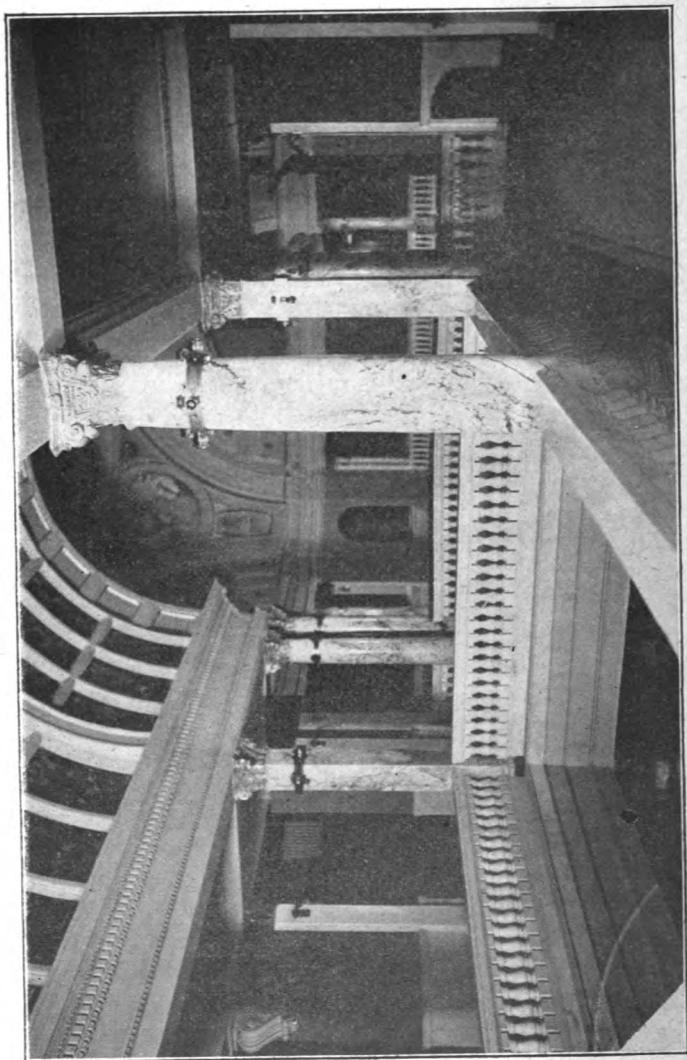
It happened that I was there when Deadwood was destroyed by the fire of September 27, 1879, and saw all that fearful night and the sweeping ruin. Just after that and while embers were still glowing in the basements and the whole site was piled with ashes, I saw the people of Deadwood assemble in a great town meeting. The titles to real estate were imperfect. The fire had destroyed all public records. The town had been built upon placer land. Some mining right might assert it priority. But



IN THE ROTUNDA
The Painting Is Simmon's, "Agriculture"

the assembled manhood of the city there unanimously resolved and pledged their honor that every possessory privilege and right of occupancy existing when the fire began should be made good and held and defended inviolate as before. The most honored citizen and the most abandoned man or woman should have their rights. That was made good. Then I looked up the valley and there, where the two gulches joined, stood two prominent land marks, a church and the school house of the town, untouched by fire. I cannot express the joy I felt and the enthusiasm it kindled as I witnessed this great act of self government and law making and these symbols of the future. Such was the Territory of Dakota its remote mining camp. Not one soldier was sent there or required, and I am happy to recite this story in the presence of so many representatives of "the Hills" present and participating in this act here today.

Railroads increased rapidly, prosperity prevailed. The Black Hills, upon our western border filled with enterprise and many men of brilliant ability went along with the daring miner. The time had come for statehood. The full measure of success under territorial limitations had been reached. There has not been in any territory a more splendid record of an intelligent and free people working out the basis for an honorable future than ours from 1879 to statehood in 1889. The best elements in the territory led. It was a struggle upon the highest line of political and moral purpose. The convention of Canton, June 21, 1882, was the worthy beginning and was followed by a great delegate convention at Huron, June 19, 1883, which comprised the character and leadership of all the proposed state. By an ordinance of this convention a constitutional convention was elected and met at Sioux Falls, September 4, 1883. An excellent constitution was framed but the congress denied the claims for statehood. The legislature of the whole territory authorized a constitutional convention for South Dakota, which met at Sioux Falls on September 8, 1885, and framed the constitution substantially as it now stands. Still statehood was delayed four years more. But the whole southern half was now aroused and without respect to



ROTUNDA FROM GRAND STAIRWAY

party or creed struggled for the desired goal. North Dakota soon fully consented and desired statehood for itself. It enjoyed the benefits of our work and adopted or advanced the best elements of our constitution. Finally by the enabling act of February 22, 1889, statehood was authorized for both. Our convention began its session July 4, 1889. The constitution of 1885 had been again adopted at the May election and the convention had little to do except to name the state South Dakota, arrange for the division of the property and accept certain requirements made by congress.

Accordingly on the second day of November, 1889, President Benjamin Harrison announced the admission of South Dakota to the federal union upon an equal footing with the other states.

The same day all of its civil machinery was set in motion. The people had become attached to the constitution. It provided a just, economical and good government. So loyally did the people adhere to it that it was difficult to persuade them to make needed amendments. It was simple, free and a protection to all rights. The article upon education and school lands became and has continued to be one of the most popular provisions of the instrument. So strongly did we urge that upon congress that it required like provisions as a compact in the constitutions of other states, and North Dakota, Montana, Idaho, Washington, Wyoming and Oklahoma, enjoy this protection because South Dakota voters stood loyally and with persistent self-denial for this measure the most extraordinary change from previous practices by new states in the history of our country.

The statehood was attained through merit. Our people by their enterprise, industry, high character, good laws and government, under territorial limitations had convinced the nation that they deserved well at its hands. From the early days they had met splendidly every trial. They had formed provisional government till appointed officers came to their duties, and most gallantly defended their homes and settlements from hostile Indians. For some time most of the men were under arms, and for periods nearly all.

From the first good laws had been enacted. The legislation

was creditable as were the men who did it, and after 1877 we had a body of laws, the codes for that year, better than any territory ever had. The laws were enforced, peace and good order prevailed, and all the institutions of a free American people were planted and developed. Churches rose in town and country; school houses were the most common landmarks in the settlements, and education was the highest pride of the population. It was such a people that made the state. All the conventions were composed of able and most worthy and capable representatives of such free, intelligent and enterprising inhabitants.

This audience coming upon railroads connecting every part of the state, with cities, villages and towns on every hand, and wealth and abundance throughout, with all the advance in science, inventions the arts, education, commerce, travel, social development and comfort and the rightful pleasures that all now enjoy, can hardly place itself in the position of the men and women of the territorial days. We cannot think or experience as the people then did, or appreciate their struggles, their trials, their hardships. Yet those faithful people made all this possible, tested soil and climate and developed the resources; founded all the institutions and made the organized state. In their poverty they unselfishly saved the school lands to you and the future.

As the boy looks toward manhood, as he tests his increasing powers and feels increasing responsibility, so the territory always looked toward statehood. The people were steadily feeling their way toward a more definite future. They were forming ideals of the state that was to be. The people of those days were self-respecting citizens, intelligent, accustomed to governing themselves, accustomed to organizing movements, and to direct events. Two-thirds of the work that is now the honor and pride of the state was done by them. They laid the foundations of civil institutions; of religious, educational and social life. A common high purpose arose out of earlier divisions and error.

The women of those days were most worthy. They helped to build the sod house and worked through summer and winter to make and keep the home. Their houses were often lonely and far from neighbors and they were without one of the dearest

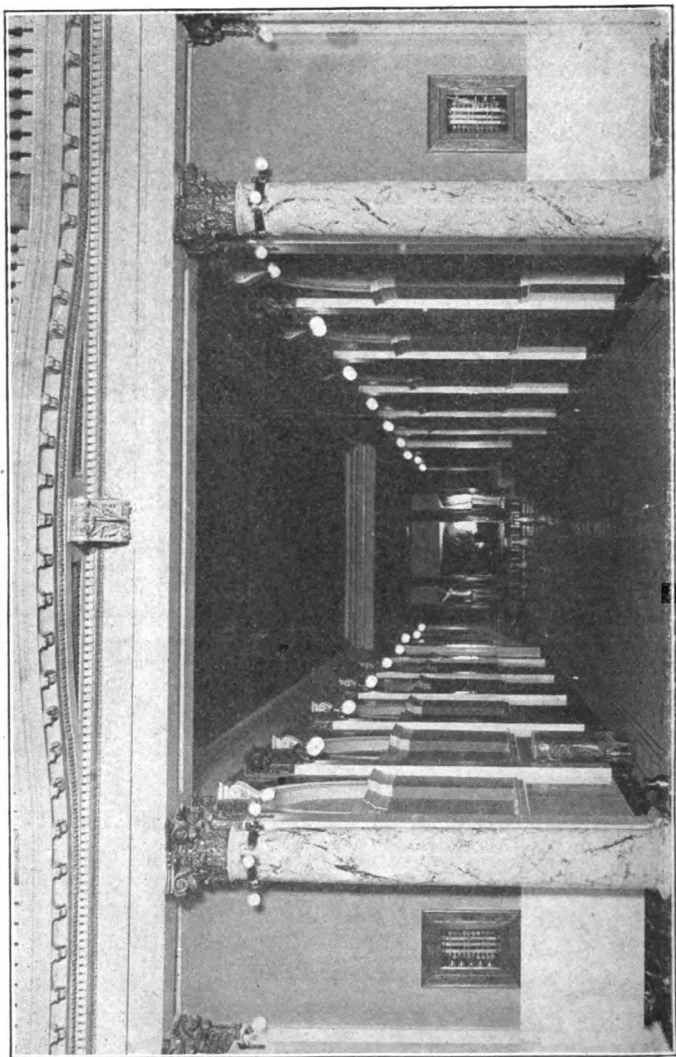
privileges of woman, the society and helpful relations of woman. It is not singular that in some of the mountain states where women share even more trials and dangers with the men, they were given the suffrage as a deserved franchise. The survivors of those pioneers are worthy of more honor and praise than they have received.

To them and their associates, now passed over the great divide, it was given to develop the sturdy qualities of American manhood and womanhood and upon this new soil to create institutions, laws and material development, that are enduring evidences of their worth. With the many thousands that continually joined them; by patriotic sentiment and faithful toil, they left a record to be emulated, and made the state of South Dakota that will preserve perpetually the principles upon which our government is founded. Their effort and devotion has continued to hold the state to a course of high integrity and moral duty. I pity those who were capable who did not participate in that great work. Only the short sighted politician will forget that old and strenuous sentiment or go contrary to its principles.

From this view many events in our history might be explained. People that participated in a great political movement, or act of high merit, become more attached to its principles as it endures, and it influences all their course.

The state which they made politically, morally and materially stands today a glorious credit to their worth and labor. In all its history there is nothing seriously to regret. Its future is filled with high promise. From the first it received a population of high merit. Side by side came the native American, the Scandinavian, the Irishman, the German, the Dutchman, and other elements, each the best of its kind.

All have become American in spirit in loyalty, and in honorable usefulness. United they go forward in developing our wealth and supporting our free institutions. This gratifying progress and harmonious development will continue more and more to invite the most desirable additions to our state. Wealth will be produced and attracted as it has been, and the marvelous productions of our fields, our mines, and our shops will more rapidly increase.



WEST CORRIDOR ON THE MAIN FLOOR

In the early days the federal government was very important to us. Now the state is absorbing interest. We are still a loyal and a glad part of the sovereign nation, but constantly the state becomes more and more to us and its importance cannot be overestimated. It has all those vast powers not delegated to the nation or forbidden to the state by the constitution or reserved to the people. How vital are these interests and issues. President Garfield said: "The state government touches the citizen and his interests twenty times where the national government touches him once. For the peace of our streets and the health of our cities; for the administration of justice in nearly all that relates to the security of persons and property, and the punishment of crime; for the education of our children and the care of the unfortunate and dependent citizen; for the assessment and collection of much the larger portion of our direct taxes, and for the proper expenditure of the same; for all this, and much more, we depend upon the honesty and wisdom of our state legislature and not upon the congress at Washington." Nearly all the great reforms that we praise in England have been, or are, the proper objects of our state. There is no service in the world more honorable than that for our state. Vast beyond reckoning are the human interest that center here, social, political, economic, educational, industrial, moral. So rapidly do they develop and increase that account cannot be made of them.

The stream of human life flows on, varies and broadens and the state, by its policy and laws is the great common exchange and agency that influences all, protects all. There is no room for cheap politics in such a field. There is need for highest intelligence in the people and their chosen leaders, if freedom is to be preserved, if religious liberty is to remain secure, if the right education of all is to be promoted, if general prosperity is to be continued and fairly shared by all, if the bane of reckless socialism is to be kept out, and civil liberty and political rights forever guaranteed.

The state in its present form was a growth originating in the principles of English institutions planted in the several colonies and in the race instinct for local self government. The nation and

state have had continuous development and advancement ever since and must forever have. The famous ordinance of 1787 and our principles of liberty and free government cannot otherwise have their full fruition. General Cass in a message to the legislature of Michigan Territory reiterated and amplified the doctrine that political institutions whose foundations rest upon public opinion can never be secure unless all the people are educated. Public opinion to be safe must be enlightened.

The advance of every free state depends upon the broad intelligence of its citizens. Because we are a state, republican in form, education of all the people becomes the highest duty of the state. Nothing can be so important except the struggle for the very existence of the republic. The genius of the poorest must have equal chance with the opportunity of the rich. The true state will not disregard the welfare of the humblest orphan. Our resources of farm, orchard, and mine, our soils and our water supply, our rocks, our clays must be scientifically studied and mastered; our livestock, our entire productive possibilities require a scientifically trained and educated people. As our population doubles and crowds our area, this need increases. This training should be masterly and broad and prepares as fully also for all civic and social duties. Not for wage earning alone, nor for money making alone, must we educate. All skill, all technical training, all science, all the industries, can not together, but unaided, save and develop all that human society and government have in charge for our permanent welfare. Technology is required for the world's progress but it is not all the story of man's advancement.

There is another outlook on the knowledge of the world's history. Immeasurable has been the cost of the social and political institutions that make this nation and this state possible.

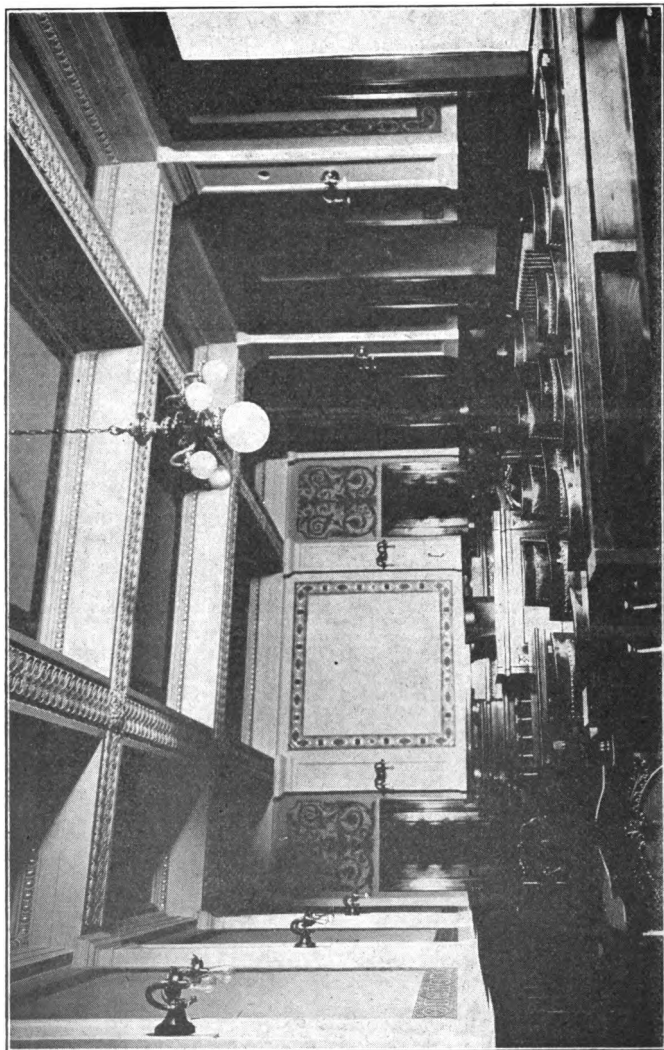
The institutions are the organization in which the industries live, the home protection that makes them all possible. Welfare lies not in gain alone. Giant industries have become the master trusts, and skill and technology are made their hired servants. These are so bound by their wages that they do not understand, often, the nature of the great social problems that the armies of labor and human society present today. The mastery of

history, government, literature, philosophy; the knowledge of all the world and its mutual and conflicting interests, of the origin and nature of human society and "the grand results of time" must be the possession of those who are to lead us in the profound questions bound up in the state and national and international interests.

Constitutions, wise laws, and comprehensive policies do not come from civic and social ignorance. When our great barns have been builded and are full we cannot therefore take our ease and be secure.

The unexpected news from the remotest part of the world or the labor strikes of our own country may make us poor in an hour. We live in a world, in a nation, as well as in a state. We are neighbors of Russia, of China, of England, of South America. There are world problems that we cannot escape. Our factories our farms, our shops are but a part of the whole. The very prosperity that we boast, while a blessing, is a danger. Beecher said: "We must educate, we must educate or perish by our prosperity."

The corruption of concentrated wealth supplies the political issues of the day. Therefore there is the highest need of that thorough education that shall develop the character and fit our people for the most faithful service in the common interest of all. I rejoice, but tremble when I see what is called predatory wealth endow great institutions that shall train our young people, perhaps to applaud and to serve it. The great, final, single comprehensive aim of education and of the highest education is the equipment of men for moral leadership. I believe that all this should be done inside the state, that all scholars, all teachers and all trained citizens should be made by institutions within our state. Within our borders, under our laws and institutions, under the discipline of our own conditions and inspired by our state pride, all this can best be done. All the elements of ,and inspiration for it, should be thoroughly given in our common schools, from our libraries and at our firesides. Though I know few of them well, I would burn half the books in several public libraries that I do know to the end that the better ones might be read.



SUPREME COURT ROOM

The state needs men and women of trained minds for all the problems of life; not for one narrow phase alone; men and women whose judgment has been so developed that they can be free, can form opinions and act with prudence, serve their fellows as well as themselves. Out of this will come sound altruism, not selfishness alone. We need a broader outlook that can see the elements of social and political problems, draw just conclusions and act wisely. We want scholars as well as scientists, need that our scientists may also be scholars and our scholars scientists, that we may know the political, social and moral state as well as the economical and industrial state. We need all the truth, not part only.

If the common and high school pupils shall elect for special gainful employment, so should everyone elect for worthy and intelligent citizenship, be open-minded, capable to understand, to labor and to serve the common welfare, to promote the highest good, make our religion practical and hold higher ideals for state, nation and all society.

We are a democracy. Democracy increases in the whole world. It is a constant advance. If it be not intelligent it makes grave mistakes. It is insistent, clamorous, but victorious in the right if intelligent. When ignorant and under absolutism it rushes blindly into bloody revolution. In the more enlightened nations, as in England and America, it moves steadily forward in splendid, conservative advancement and blesses the state and the world.

We have no present great race question in the state, but we shall have many Indian citizens. There is now no dangerous percentage of illiterates, but if neglect brings that deficiency we shall have another issue. Already in the south and in a few northern states there is disfranchisement of many.

These are the privileges and perils of the democracy. Public opinion is the keynote, the inspiration of public life. Intelligence is the one great dominating ideal of free government. The schools of all grades, a free press, free public discussion, free and capable organization, will give the universal and broad enlightenment, the righteous judgment that shall save and perpetuate all that make our state and nation dear to us, that will protect labor, overcome

class danger, and open larger opportunity for all. May our splendid and loved state strive more perfectly and always to have every citizen fitted for the best service of our common welfare and great destiny.

If in our haste, our fury to be rich and mighty, we outrun the moral and educational institutions, they will never overtake us. They must be kept faithfully and kept all the time. The future of South Dakota is in its own hands. Never again shall we cover all these plains with a fit people from a new immigration. The material for the future shall come from the homes already here. The older generation passes. With the laying of this corner stone we introduce a new age. The test is upon us. We must make good. We must make the new race better than the good one that other lands and older commonwealths gave us. It must be prepared for enlarged duties and responsibilities. The narrow range of human life is passed. The vision of the future is big with problems and all that concerns the development of a greater civilization.

Not in great cities and wealth is true safety. They are the sources of graft and corruption that afflict us. Here and in all this broad west must the capable race of womanly women and manly men be maintained; the citizenship of ability, integrity, virtue. We stand ahead of every other state in the union in the vast endowment made for education of all kinds. Shall we sacredly preserve and wisely use this? The unquestionable duty of this hour is this sublime resolution.

Finally: We stand in the pride of a sovereign state in a supreme union. The destiny of that union is our destiny. It is the strong arm that gives protection to every state that it may care for its vast domestic concerns. How the patriotic imagination was kindled as at San Francisco passed in review that great fleet, that symbol of sovereignty, the pledge of safety. How we then rejoiced in that union stretching between the two oceans, that union created by the wisdom of Washington, the genius of Hamilton, the democracy of Jefferson, the matchless eloquence of Webster, the profound decisions of Chief Justice Marshall, and the whole priceless legacy saved to us and the world by that in-

comparable patriot from the common people, Abraham Lincoln.

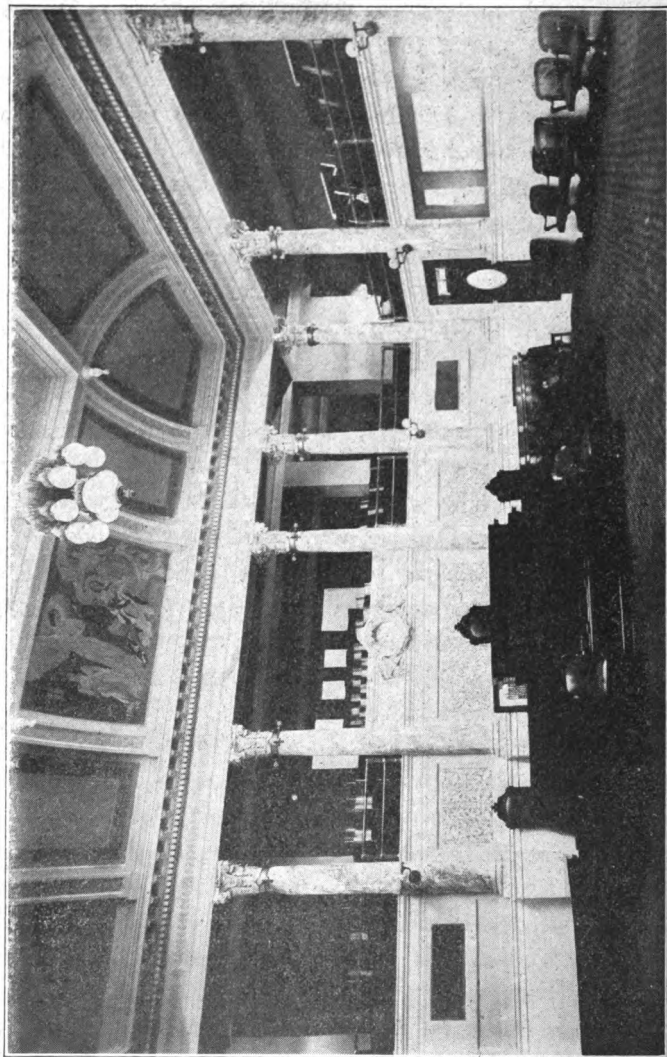
That federal government is controlled by the elected representatives of the people and the states, and uses its granted powers for their welfare, to guard and advance the prosperity of all. In the rush, almost the fury of the issues, there is in some minds a fear, for the moment, but finally the federal and the state powers harmoniously cooperate for the common good. That growing fear was quickly followed by an historic conference of the states and nation at Washington to plan how best to conserve the resources of all. The student will in such a time remember that the cause of interstate commerce more than any other promoted the change from Articles of Confederation to the Constitution, and made that the supreme law of the land.

The nation, grown now to eight-six millions, of almost continental area, has helped the people to reclaim a vast wilderness, develop a great commerce, and spread personal liberty throughout the land. In the daily enjoyment of such blessings we hardly realize what it has given us in intellectual freedom, in religious toleration and in political liberty.

It has made labor free and protects it. The Emancipation Proclamation of Abraham Lincoln freed the white laborer no less than the black. It is from that time that the independence of the organized labor practically begins. The more we progress the more we need the nation and its powers. There can be nothing oppressive in such a government. Under the common sense of all justice comes to all.

The state will be greater in its proper sphere as the nation develops. Through universal free education the state assures the intelligence of all, secures the best results of these privileges to every person, and administers the affairs of the people for the equal blessings of all. So are we secure in all the intellectual and the material resources for the state. Under Providence these shall bless our children's children to the last generation.

The great river flows by us, across our state from north to south. As its swift current moves on from narrower to wider longitudes the more rapid motion of the surface throws the western shore against its flowing waters. As one passes down the



SENATE CHAMBER
Showing Holloway's, "Louisiana Purchase," in the Cove

channel one sees the higher and more abrupt bluffs on the western side and the broad valleys on the eastern. The rotation of the earth, the movement of the whole solar system, and distant Arc-turus in his unknown path, cooperate in that physical Phenomenon.

So does the providence of God, moving in its mysterious ways through all the history of mankind, provide for the being, the present welfare and the future happiness of our state. The issues of all time are ours. All the glory, the opportunity and the praise that is American is ours to keep and to enlarge.

The stone which we lay today is a four feet cube; the length and the breadth and the height thereof are equal and this symbolizes the object for which our state is created: Intelligence, Liberty and Righteousness.

So in the light of all the splendid achievements of the people of the United States and the blessings of their civilization, intelligence, liberty and law; with profound thanks to God for our great inheritance; in the name of the good people of the common-wealth, of their enterprise, freedom and moral virtue; in the name of their high manhood and womanhood, and as a great civic pledge for the future, we lay this corner stone to the capitol building for South Dakota. Over that dome the ensign of the union will always fly. The state and the nation shall be like Roderick Dhu's banner the evergreen pine,

“Moored in the rifted rock,
Proof 'gainst the tempest's shock,
Firmer he roots him the ruder it blow.”

THE DECORATIONS.

No sooner was it determined to erect a new capitol, than the people of artistic taste and temperament began to agitate for a decorative scheme for the interior befitting the wealth and dignity of the state and illustrative of its best culture. To secure such decorative plans was not an easy matter in a frontier community where very little of true art had yet found a place. A few newspapers took up the discussion and as early as the spring of 1906 the subject was made the topic of discussion at the meeting of the Dicken's club, a literary organization in Pierre. The matter was

much discussed in women's clubs throughout the state and when the Federation of Women's clubs met in Pierre on August 27, 1908, there was a thorough discussion of art in the new capitol and the following resolution received unanimous support:

"Resolved, That the Federation of Woman's Clubs of South Dakota, earnestly favors provision by the legislature, and capitol commission for interior finish and decoration of the new state capitol, befitting the wealth, culture and dignity of a great commonwealth. That the provision for interior decoration should be not less than five per cent of the entire cost of the structure and that the mural decorations should be made only by American artists of the highest skill and repute; that to this end, if it be deemed expedient, we should favor a small amount of decoration of the highest order rather than to accept anything less than the best.

"Resolved, That the clubs composing this Federation, be requested to petition the legislature to make such provision as will begin a scheme of decoration that will result in ultimately providing in the state capitol, mural paintings that will be an inspiration and an educational force to the people of the state."

The suggestion of the woman's clubs that a very little of the best art is preferable to a great amount of poor art became the keynote of the campaign of the art propagandists and was echoed from every corner of the state. How to attain the end was the serious problem confronting the capitol commission. Finally, the commission resolved to advertise for the submission of decorative schemes for their consideration, and the tenders were opened on August 25, 1909. There were many contestants, some of them presenting very elaborate, some of them spectacular, and some very bedazzling plans of decoration, but Mr. W. G. Andrews of the Andrews Decorative Company of Clinton, Iowa, had wisely fortified himself by securing propositions from Mr. Edward Simmons to supply five pictures, Mr. Charles Holloway three pictures and Mr. Edwin Blashfield one picture as apart of the modest but effective plan of decoration and the capitol commission, after full consideration, determined to adopt his plan, and thus the work of these distinguished artists was secured. Mr. Simmons

providing the four pendentives for the dome and the lunette at the head of the grand stairway. Mr. Holloway one painting each for the supreme court, the senate and the house, and Mr. Bashfield filling the large panel in the west end of the governor's parlor. In detail the following tells of the several paintings and their settings:

THE SUPREME COURT ROOM.

The general color effect is in browns, tans and gold. The mural painting by Charles Holloway represents the "Gate of Justice."

The painting is a classical expression of art in decorative form and color and emblematic meaning.

In the early middle ages structures following the general form of gates were erected to receive the throne of the justiciary. In various regions of Europe the church gates, the gates of justice, were adorned with sculptured lions.

In the painting on each side of the gateway is shown the sculptured lions, a symbol of courage. On the wall each side of the gate is the sculptured figure of Law and Justice.

The ornamental surrounding of the painting is simple suggestion. Shows at the top the birds as emblems of peace and at the bottom, the cherubs as emblems of the spirit of goodness and love and the serpents as emblems of evil.

On each side of the lower part of the centre of painting is shown the despairing and remorseful guilty.

In the centre is the spirit of mercy—the symbol of God's soul, showing pity and compassion for the guilty, but the guardians of nature's law, the strong arm of God, demand their penalty.

The offenders' lives lie in the mercy of God, yet they must pay the penalty of their crime.

THE SENATE CHAMBER.

The general color effect is in green, ivory and gold, harmonizing with the marble wainscot and columns. The mural painting by Charles Holloway, shows the Louisiana purchase.

The centre group tells of the acquisition of the territory of

Louisiana by America from France. Louisiana is typified by an Indian woman over whom America is placing the flag of her states and from whom the garment of France has fallen. France, by her side holds a copy of the treaty by which the purchase was ratified.

On the Missouri floats the craft of America, guided by Progress and Rectitude.

In the golden yellow back ground a spirit of a soldier of old Spain, feeling the glorious achievement of Spain as discoverers of the country, shows the device of Isabella of Spain, a yellow cross on a white field.

The fleur-de lis in the foreground suggests the more recent ownership of the country by France.

The back ground suggestive of Spain and the flowers of France, tells of the past.

The goddess of American Liberty, the Spirit of Truth and the Genius of Progress show the coming of a new day.

THE HOUSE CHAMBER.

The general color effect is in reds, tans, browns, grays and gold. The mural painting by Charles Holloway is the largest in the capitol occupying a panel 12x20 feet, over the speaker's desk, the motive for which is furnished by the historical account of the first act of religious worship in South Dakota. On June 2, 1823, General William Ashley on his way to rejoin his partner, Major Andrew Henry, on the Yellowstone, was attacked by Ree Indians near the present town of Mobridge. Twenty-three of his men were shot down, thirteen of them being instantly killed. The dead and wounded men were dragged onto the deck of the little trading vessel Yellowstone, the moorings cut loose and they drifted down the stream. The men were so overcome by their loss that they would not attempt to fight their way past the hostile Indian town. Ashley, feeling it imperative that he should communicate with Henry, called for volunteers to make the perilous trip of four hundred miles through the wilderness. Jedediah S. Smith volunteered to undertake the hazardous enterprise, and before starting dropped upon his knees among the dead and dying men on

the little vessel and made a powerful prayer. This prayer is the topic which the artist in accordance with what he conceives to be the principals of decorative art treated in a poetic and symbolic way, thus sacrificing the tremendous dramatic quality which the incident in cold realism involved, as well as the truth of history.

On the left of the painting is shown, floating down the Missouri, General William Ashley's keel boat, the "Yellowstone." On the prow of the boat are typical figures, of the trappers and General Ashley stands there in worry and wonder.

In the centre of the prow is Jed Smith, praying to God for the dead and dying, placed upon the deck after the fight with the Indians.

Among the fringe of willows along the shore, lurk the Indians, but among them stands the chief demanding peace.

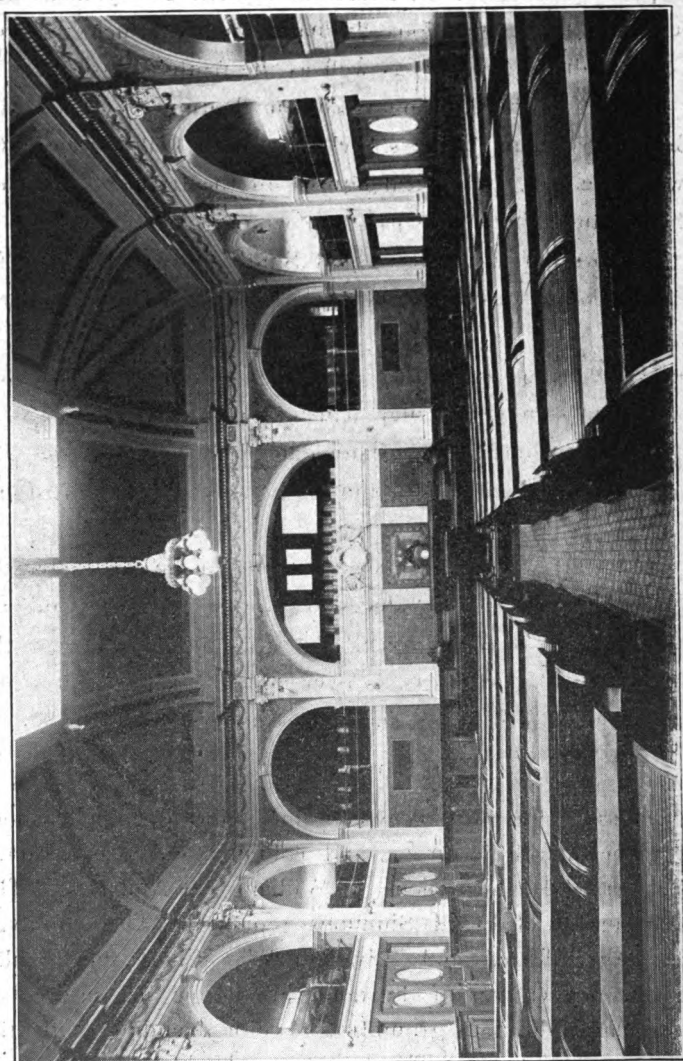
In the foreground an Indian maiden looking to the sky above, feels the wonder of life, and sees, as do the others of her tribe.

As Jed Smith calls down the blessing of heaven upon the dying, his spiritual force produces a power over the Indians. They see the spirit of the heavens above as they saw below the spirits of their dead. The fight is over and to all, the whites and the Indians, comes "The peace that passes understanding."

THE ROTUNDA.

The general color effect is ivory, blue, tan and gold, harmonizing with the marble wainscot and columns and was planned under the personal supervision of William G. Andrews. The mural paintings by Edward Simmons represent "The Family," "Mining," "Agriculture," and "Live Stock." Filling the circular panels on the pendentives of the dome are heroic size figures on a solid Roman gold back-ground, the color blending with the general decorative scheme. The lunette at the head of the main stairway represents the "Advent of Commerce." The white trader has drawn his canoe from the water, and is dealing with the Indians for the robe spread out before him.

The House of Representatives is the lower branch of the United States Congress. It is composed of members elected by the people of each state and the District of Columbia. The House has the power to initiate all bills for raising revenue and to impeach federal officers. It also has the power to elect or remove members of the executive branch.



HOUSE OF REPRESENTATIVES

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THE GOVERNORS RECEPTION ROOM.

The general color effect is in deep olive tones. All the ornament is in relief finished in Florence gold. The furniture in this room is massive uncolored mahogany, upholstered with leather. The rug and draperies are in shades of green harmonizing with the walls. The mural painting by Edwin Howland Blashfield.

South Dakota is represented as a beautiful woman, in the spot light, with the figure of hope floating over her and pointing forward. Trappers and settlers are beating back and overcoming the Indians who are clinging to her garments, attempting to impede her progress. Outlawry, represented by a dark and hooded figure is scuttling away into the darkness. In the back ground the prairie schooners of the early settler are to be seen making their way across the prairie. The picture is a strong one and attracts attention of all.

Mr. Blashfield traveled from his studio in New York to Pierre to assure himself that his masterpiece was properly mounted and that the decorations of the room were in harmony with it. He regards it as one of his great works and said of it that he never had excelled its technique.

The entire decorative scheme including the mural paintings have received the highest encomiums from all who have visited the capitol, including in their number many art critics of established fame, and the lovers of the beautiful in the state give to the capitol commission the highest praise for having carried out the plan for which they so early contended and have in reality established an outpost of true art in the far west.

THE DEDICATION.

The capitol, though occupied from the first of May was not dedicated until June 30, 1910. The principal address was made by Dr. A. B. Storms of Iowa, president of the State College of Agriculture and Mechanics Arts at Ames. This feature of the dedication occurred at the Auditorium upon Dakota avenue at 2 o'clock in the afternoon of that day. Following music by the Fourth Regiment band Governor Robert S. Vessey introduced Dr. Storms to the vast audience in the following address:

As your presiding officer this afternoon I think that it is necessary for me to say to you that this is an important occasion. I think never before this, in a house of this state or a house of this nation, was there a gathering that seems to me has the good interests of the state at heart any more than the present gathering here assembled in this city. I am glad you are here. I am glad that this Conservation Congress has been a success, and the fact that you have shown the disposition to come and spend your time and money to be here and to listen and take in the information given you by the different talent on the platform bespeaks for you a disposition to do that which will be for the betterment of the conditions here in this state. We have one of the greatest states in the northwest, the development of this state today is far beyond what you or I can even dream of at this time. In gathering here and in understanding to some degree what there is yet to be developed and what there is yet to be secured through proper conservation is the greatest question that is before this state today. I compliment you on the act of your being here, and I want to say to you we appreciate it. We know the city of Pierre appreciates it, and it is the city here that has made it possible for you to come to this city and enjoy the program and get the information that is being dissimulated from this platform because I believe you will readily understand that a gathering of this kind and a program of this kind cannot be taken care of without quite a large financial backing, and the city of Pierre, the capital city of this state, has made it possible by giving us a very generous donation to take care of the expense of this meeting. So I am glad you are here. We have this afternoon with us a person from our neighboring state, who will address you this afternoon, whose address I am sure will repay you for all the cash outlay and all the discomforts occasioned by the heat of the day. He will give you something to take home with you; something to feast upon; something to enjoy not only this afternoon but something for all time to come. It is stated, I think, under the authority of our state geologist department, that Pierre is underlaid with a stratum of asbestos, so you need not be at all alarmed. I think it has been a very wise provision of Providence to thus keep us entirely

safe and while we may get pretty warm this stratum of asbestos will save us from the eternal furnace, I introduce to you Dr. Storms of Iowa, but I find that we have one number that you will enjoy, a solo by Mr. Howe of Washington, D. C.

I take great pleasure in introducing to the audience here this afternoon, the next speaker on the program. I was very glad to know that he had taken the opportunity this morning to visit our new capitol building so that in his address to you this afternoon he can speak from knowledge gained by an investigation and looking over it this morning. I believe the people of this state are to be congratulated in the new building we will dedicate to their service today, because I believe from the very foundation, from the selection of the architect and material, that the best was obtained; one of the best builders, one of the most conservative builders, a man who did his work whether you were present or not; indeed he was the most critical, so that the work has been done right from the beginning and we are glad today to turn over to the people of South Dakota, we believe the best building and the most up-to-date equipment, and the best furniture for the same amount of money that there is in any capitol building in the United States. I am glad that Dr. Storms, who gives the dedicatory address this afternoon has had an opportunity to see the building so he can speak intelligently, and I have the pleasure to introduce to you Dr. Storms of Ames, Iowa, president of the great agricultural college, the next richest state per capita to South Dakota in the Union.

DR. STORMS' ADDRESS.

South Dakota is to be congratulated upon her new Capitol Building. As a church building expresses the estimate of religion in a community, and its houses the esteem of its home life, so a capitol building is an expression of conscious statehood. The Commonwealth of South Dakota has in its new Capitol a model building. The architecture embodies the best ideals, preserving as it does the strength and dignity, the harmony and sense of

simplicity which Greece gave to the world as a lasting inheritance, and yet adopting these fundamental conceptions to modern conditions and uses in a most effective manner. The granite and Bedford stone and marble impress at once the sense of stability. A visitor from another world would say at once, a people that build for their state like that believes in the permanence of their institutions, their industries and their civilization.

The situation is well selected looking off over the great river and across the immense parities to the westward from a commanding site. It suggests the enterprise and hope and confidence for which this great West is remarkable.

Surely the thanks of a people are due to those who have so well executed their trust in the conception and erection of this new building in which, as the interior decorative scheme already suggests, the spirit of a great Commonwealth of the West shall find a fitting home.

One hundred years ago the planets were in strange conjunction, for poets, musicians, scientists, statesmen of the first magnitude were born under their combined influence. Poe, the pioneer of art feeling in America the sweet wierd melody of those songs once heard can never be forgotten; Oliver Wendall Holmes, vivacious, genial, witty and wholesome, in whom the genius of America found happy expression; Alfred Tennyson, as masterful in thought and conviction as he was perfect in art; Mendelssohn, whose "Songs Without Words" echo in every heart and in every home and in every temple of art; Chopin, whose music showed the range, variety and sweetness of the pianoforte as it had never before been conceived; Charls Darwin, who did more to advance human knowledge than any other man that has ever lived; Gladstone and Lincoln. Was there ever such a galaxy of stars in the firmament.

A NATION'S SECOND BIRTH.

This is an occasion which inspires diffidence in one of my years and generation, and particularly in assuming to speak upon any phase of Lincoln's character or career. The older men here lived through the stirring times when he came to the unique and successful leadership of a nation. To us, of a younger genera-

tion, this is all tradition. We saw in our earliest days the afterglow of a victory which meant more than a restored nation, for out of that sorrow and struggle a new nation was borne. As when the original states adopted the constitution and abandoned the weaker federation which had proven inadequate, so now the nation emerged from its bloody sweat and labor of spirit to a new definition of nationality and national sovereignty and of freedom.

The one who had more than any other to do with guiding and crystallizing into definite conviction the sentiments of the people who led the nation through to a successful issue of the conflict, was Abraham Lincoln.

ROMANCE AND REALITY.

To have achieved that result, and to have been thus conspicuous in leadership is sufficient distinction. This alone would place Lincoln by the side of the marshall heroes and the constructive statesmen of history. But all other circumstances have combined to enhance the romance of his career and to kindle the imagination of the patriotic student of American history. He was of lowest birth and parentage. About this he was himself quite sensitive. Recent investigations into Lincoln's ancestry seem to show conclusively that there was good blood in both his father's and mother's side. The Lincolns and Hankses were people to integrity and consequence in New England and Pennsylvania and Virginia and Kentucky. Lincoln's grandfather Abraham, was killed by a shot from a skulking Indian, when Thomas Lincoln, his youngest son and the father of Abraham Lincoln the martyred president, was but ten years old. Left to shift for himself, rough hard work with no schooling were his lot. Lincoln's mother, Nancy Hanks, was orphaned at nine years of age. She grew to be a sweet tempered beautiful woman. When Abraham was ten years old his mother died. He revered her memory. She was to him a guardian angel.

Whatever may have been the distant connection Thomas Lincoln was a restless and somewhat shiftless provider. His wife, Abraham Lincoln's mother, died of hardship and privations when her son Abraham was but a lad. Arnold, a life-long friend and ad-



MAIN OFFICE OF HISTORICAL SOCIETY

mirer, in his biography of the martyred president, has drawn a romantic picture of the early life, and especially of the relations between Lincoln and his step-mother, but stripped of romance and kindly enthusiasm of admiring biographers, the early life of Lincoln is hard, unromantic and even stupid. His education was of the meagerest, his opportunities extremely limited; yet out of this origin and from this environment, he came through a school of hard training, and by dint of peculiar traits of character and a persistent ambition, and by a strange and fortunate combination of circumstances, to the presidency in the time of the nation's peril, and proved to be what no man could possibly have foretold—the wisest man for the hour and for the emergency that could have been found. To crown all with tragic interest, he met his death at the hand of an assassin at the hour of his and the nation's triumph. Revered and beloved almost to adulation at the time of his death, it is no wonder that his personality has been enshrouded in a glory of romance, and that his character has been idealized, his wisdom magnified, his magnanimity admired until we see him in heroic proportions.

ESTIMATE FROM PRESENT VIEWPOINT.

Heretofore, the treatments of Lincoln in biography and history have, for the most part, been by men who knew him or who lived through the years of the civil war, and who spoke at first hand. May we not assume that time has now come for the supplementary estimate which can be made only by those who stand at the view-point of a younger generation and a later day.

The perspective will be somewhat different. It will be ours to seek, to understand the man as an exponent of the ideals of his age and to inquire whether he be the rich representative personality of the nation and of the time.

If we would measure a man we must know the size of his convictions, the moral girth of his ideas, and for such measurement we need perspective. History lifts some men like a mountain against the sky. As we travel away from it it recedes into the distance. We lose the smoke of factories and the din of transient industries at its base, but the mountain looms up in

singular magnitude. Thus it is with this man, whom we call and whom history will call, the Savior of this country.

"Now," said Stanton, turning from the deathbed of Lincoln, "Now he belongs to the ages". Ultimately a statesman's place in history is determined by his grasp of the formative and controlling principles that persist through the tangled perplexities of current political events. However confusing may be the mere phenomena of the hour, the great ideas with which enduring, constructive work is done in any age are few and in themselves are simple.

THE GREATNESS OF LINCOLN.

1. His Grasp. Lincoln's greatness as a statesman lies in this, that he grasped with absolute clearness and held with absolute courage and confidence to the elemental controlling ideas of the era in which he wrought.

These ideas can be uttered in a single sentence. The supremacy of the federal government, a government of the people, by the people, for the people, and the wrong of slavery. These were the democratic ideals by which he builded.

2. His Originality. But we must also ask, if we would measure a man, as to his originality. Only those men can be called by distinction greatest whose work is constructive and characterized by a high degree of originality. I do not mean by originality something absolutely new and unrelated to the past or future; I mean the kind of originality that was possessed by the framers of the constitution. They took only seasoned timbers of political principles, tested and proven by colonial experience. They possessed that leading characteristic of Anglo-Saxon genius that knows how to treasure the past and to hold the wisdom of experience. There is nothing radical and independently new that went into our constitution yet the work of the constitutional convention, as a piece of constructive statesmanship, is perhaps unequalled in all history. Originality like that must be the characteristic of him whom the verdict of ages will pronounce great. An originality like that of Jesus of Nazareth who built upon the law and upon the prophets with absolute loyalty, and yet who spake as never man spake and who established a spiritual kingdom. An

originality like that of John Marshall who grasped the principles of the constitution and so applied them to new conditions as to make his decisions not only the greatest commentaries upon the constitution, but in themselves a work of constructive statesmanship.

This is a severe test to bring but we must ask whether Lincoln can meet it. Senator Beveridge in his study of Russia, has said, "After all, the only three things worth studying in any country are the soil and its potentialities, the people and their capacities, and the few leaders and their inherent power."

Selecting this man as one of the few great leaders in our history, and studying for a little the secret or the secrets of his power, may we say that he is the rich representative man of his country and age.

THE IRREPRESSIBLE CONFLICT.

There can be no question but that this new nation was in labor of spirit for the definition of its own ideals. A few men believed that they saw an irrepressible conflict between the conceptions of liberty which had inspired the enthusiasm and the dominant political ideas of the North and the institution of human slavery in the South. Indeed to clear-eyed men this seemed evident in the great debate which sprang from the effort of Henry Clay, the Great Compromiser, to carry through the senate his "Comprehensive Scheme of Adjustment" in 1850. Henry Clay was then a broken and an aged man. This was his last dramatic effort. "I am here," he solemnly said, "expecting to go hence soon and owing no responsibility but to my own conscience and to God." Participating in that debate were Jefferson Davis, Calhoun, then within a few weeks of his grave, Mason of Virginia, Webster, Seward and Chase. "In that momentous session" says Morse, "every man gave out what he felt to be his best, while anxious and excited millions devoured every word which the newspapers reported to them."

LINCOLN'S GRASP OF THE ISSUES.

Men were either unable or unwilling to recognize the fact of the irrepressible conflict when Lincoln gave expression to it

in his notable speech of acceptance in becoming a candidate of the republican party for the Senate in 1858. Lincoln had prepared this speech with great thoroughness and thoughtfulness; he had literally coined it out into expression in his own mind until it was graven upon his memory. In that speech he said what almost no men were then willing to receive or admit, though Seward, who was considered a radical took the same ground a few months afterward in a public speech at Rochester.



HON. ROBERT S. VESSEY
Governor



HON. SAMUEL C. POLLEY
Secretary of State

"It is on irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become either entirely a slave-holding nation, or entirely a free-labor nation."

Lincoln read this speech to a coterie of his friends. It found almost no endorsement from them. While he was surprised and perhaps grieved, he did not waver. He said he would rather go down with those expressed convictions than to be victorious without them. In that speech he said,

"If we could know where we are and whither we are tending we could better judge what to do and how to do it. We are now far into the fifth year since a policy was initiated with the avowed object and confident promise of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed. 'A house divided against itself cannot stand.' I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved,—I do not expect the house to fall,—but I do expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the states, old as well as new—North as well as South."

LINCOLN'S CONSTRUCTIVE STATESMANSHIP.

This has been called an instance of Lincoln's political sagacity. It is worthy of a nobler name; it is constructive statesmanship; it is an evidence of the possession of that high quality of originality which only finds scope for its exercise in the range of momentous issues and distinguishes greatest characters from those who are merely great.

For on that foundation which Lincoln laid, the nation has since builded, and on no other foundation could it have builded with security and peace.

Lincoln belongs to the first order of constructive statesmen. He saw clearly the vital issue between the North and the South, and stated it clearly, crystalizing conviction upon it, and holding to the successful outcome of the Civil War, to the policy which alone could mean a permanent nation. The settlement of this issue and in this way was necessary. By this means alone could a "government of the people, by the people, for the people" hope to endure.

The Cause of the Union, and The Heresy of Secession.

Slavery was an incidental cause for pressing the real issue to a settlement at that time. The cause of the Union as espoused and defined by Lincoln had double strength; on the question of slavery the North was on the side of progress, of humanity and of liberty; in the question of national supremacy as against the authority of individual states; the cause of the North was the cause of nationality as against disintegration.

The North had at times shown as much of the spirit and political heresy of secession as had the South. At times New England and even New York City had talked of seceding from the Union. The issue as defined for the nation by Lincoln and as determined by events threw both these mighty arguments—the logic of political necessity if the nation were to endure, and the force of conscience—into the scales of the Union.

Lincoln saw this most clearly of all and held as steadfastly to it as a pilot to the North star throughout all the terrible conflict, when even a Seward and a Chase and a Sumner and a Greeley lost their bearings.

LINCOLN'S PLAN AND ITS FAILURE.

Lincoln failed to carry through one of the most important parts of his own political program. He wanted to have emancipation undertaken by the states themselves and compensation offered at the expense of the federal government. He hoped against hope and strove on with tireless patience to secure support for this policy. He figured the cost of national compensation for slave property and urged that it would be infinitely cheaper than the cost of war. Lincoln in his earnest effort for compromise concerning slavery was a century ahead of his age. With such peace sentiment as is now gaining ascendancy and with the principles of compromise and arbitration now gaining influence, his policy of emancipation might have been accepted and an awful war averted. Lincoln believed this possible and abandoned the plan at last with infinite sorrow and regret. He sought to hold the border states to the Union by this policy. A radical man in Lincoln's place, a man less firm and patient who could have yielded

prematurely to the abolition sentiment that was being pressed so earnestly upon him might have alienated the border states and thrown one or more of them to the confederacy to perhaps the fatal peril of the Union cause. Gov. Andrews sent a special delegation to President Lincoln urging that he must yield to the Northern sentiment for abolition. Churches passed resolutions and sent committees to tell the President the will of the Lord. Lincoln dryly remarking that he thought it probable that the Lord would tell him His will in this matter if anyone as he must be responsible for action. Carl Schurz resigned his post as Ambassador of Spain that he might hasten home to tell the President to his face that he must emancipate and must, to hold the sympathy of Europe, identify the cause of the North with that of humanity by a frank adoption of the policy of emancipation. Powerful influences throughout the North by the press and the churches, by political party agencies and abolition associations pressed him hard. Under all this pressure Lincoln with rare poise held steady, keeping his own councils, and as we know, praying Infinite Wisdom for guidance, until by a victory of the Union forces the opportune moment should come for issuing one of the few greatest state papers ever sent forth to work an epoch in the world's progress—The Emancipation Proclamation.

LINCOLN—THE TYPICAL DEMOCRAT.

Again, Lincoln was the output of the more democratic portion of the nation; not New England Puritanism, not New York commercialism, not southern chivalry, but the mingling of all of these in the Middle West, has made the atmosphere in which the ideals of democracy could grow independent and dominant. It was on the broad western prairies and on the frontiers, by the mighty rivers of the continent and on her rugged mountain sides that there had developed a new and wonderful type of character, with a breeziness and breadth, a fearlessness and shrewd wisdom, a generosity and resourcefulness that made the Western man for the forceful and formative influence in our national life. The fullness of time had come for the nation, out of its heart to provide the typical Democrat.

The conservative East was shocked when Andrew Jackson "broke into" the political affairs of the nation in 1829. They have hardly yet realized that he was anything but a coarse Western boor, a sort of vandal. But he represented a new force that has become dominant. Jackson was not the typical man. He was provincial. He could no more understand the East than the East could understand him. But in "the fullness of time" there came a man who incarnated this new force with a wisdom and tolerance, a comprehension of all sentiments and sections of this new land and age, with a complete balance amounting to political genius—Abraham Lincoln, the "supreme American in our history." But the roots of our national life had to strike into the alluvial soil of the Mississippi and Missouri bottoms, and grip the granite of the Rockies, and grow luxurious upon the sunny slopes of the Pacific; the national genius must come to self consciousness in the breath of the pine woods, upon the wind-swept parities and by the inland seas, and gain keenness of vision and far out look from the western mountain sides, before the Representative Man could come.

LINCOLN'S CONFIDENCE IN THE SANITY OF THE PEOPLE.

Only from such sources as Lincoln drew could he have acquired the confidence which was his in the ultimate sanity of the people which is one of the most notable characteristics and moral results from our democracy so far. His political aphorisms live, because the best expressions yet found for the ideals and convictions that have taken shape in the thoughts of the people. One of the most memorable of these aphorisms is the saying that "you can fool all the people a part of the time, and a part of the people all of the time, but you can't fool all the people all the time."

Lincoln believed in strong government, believed this as firmly as Hamilton; but if you scratched Hamilton you found an aristocrat, distrustful of the people, while in Lincoln this ultimate confidence in the sanity of the people was fundamental in his political creed. And I take it that this ultimate confidence in the sanity of the people has found its best expression in this "rich,

representative man" whom the Middle West gave to the nation in its hour of perilous need. No president has ever listened with so sensitive an ear to the multiform voice of the people.

And this confidence in the sanity of the people was a confidence in the sanity of the American people with their Anglo-Saxon political history and experience, with their French and German enthusiasm for liberty, with their Scotch-Irish and Scandinavian love of freedom and their homogeneity.

APPLICATION OF LINCOLN'S PRINCIPALS TO PRESENT PROBLEMS.

We have no warrant for assuming that Lincoln, if he were here at this hour, would stand for the immediate or remote political independence of the Philippines, or of any peoples unprepared for the preservation of the liberties of the people under independent government. What Lincoln would say, if he were here, we may not be rash enough to assert. The issues now pending are very different from those of the 60's. The problems are of quite another kind. We may perhaps assume that a man of Lincoln's political sagacity would never undertake to carry any abstract principle to an extreme conclusion in practical government. What would have been the result of Lincoln's policy and spirit had he lived through the period of reconstruction, we can only guess. Lincoln had his limitations. He was no financier. He did not grasp with a master mind the problems of national finance, he did not attempt their solution. He dealt with men in their normal and political relations, wherever there was scope for great-hearted and generous-spirited policy. For a discernment of the practical from the impractical in the actual political affairs of the nation, there Lincoln was distinctly a successful leader. If I may venture the expression of a personal opinion, I believe that much of the irritation and many of the blunders of reconstruction would have been avoided or lessened under Lincoln's leadership. If I may venture another opinion, I believe that Lincoln would have been the last to stand arbitrarily and absolutely for the immediate independence of the Philippines, I believe none sooner than he would have recognized the fact that civil liberty may not always be conserved by political independence.

Lincoln was ready to go to what others considered an extreme limit of generosity in giving power to the people of the South and give them control of local affairs and a voice in the government. I believe he would have been advocating a like generous policy towards the Philippines.

ANOTHER ETHICAL PRINCIPLE OF DEMOCRACY.

Another ethical principle of democracy, therefore closely akin to this confidence in the sanity of people as a whole, is a respect for and a belief in that which is local. Democracy does not aim to blur society into an indistinguishable mass. The firmness of texture of the national fabric is due to the integrity of these local strands. Every locality, as well as every individual, should have fair and respectful representation. This gives variety and richness and strength to the national structure, and we may say, I think, that the western men, by their sturdy independence, have made this principle felt and respected in our national life.

Emerson, in his famous historical discourse at Concord, asserted concerning the New England town-meeting, that there "every opinion had utterance; every objection, every fact, every acre of land, every bushel of rye, its full weight."

And this principle is fundamental and dearly cherished in the republican democracy of our country. Conflicting sectional interests thus adjust themselves and free discussion and adequate and fair representation are safety-valves. Free men will usually be reasonable if they have a fair hearing even if they do not get their wishes fully granted, but without a hearing their smothered discontent bodes ill to the state. The answer of Kentucky, then Western Virginia, to the Eastern men who persisted in keeping political control of the West, because as they argued, these westerners did not understand politics, was characteristic of American democracy. "It may be", they said, "that we do not know as much about politics and government as our wiser brothers of the East; but it sometimes happens that even a fool can put on his own clothes better than a wise man can do it for him." Lincoln had profoundest sympathy for this democratic feeling and a statesman's conception of its importance. He of all men, could

hear the smothered voice of the South in '65 and was already planning to give her fair and adequate representation in the council of the nation when the bullet of the assassin struck him down.

DEMOCRACY ADDRESSING ITSELF TO POLITICAL PROBLEMS.

Aside from partisan prejudices we may not all agree that it was a sublime spectacle and a significant result, fourteen years ago when a whole nation applied itself, with deepest interest, to the most abstract and yet most fundamental principles of finance and when most men worked their way to something like intelligent convictions upon this subject. It was the answer of the western world standing for democracy and democratic ideals and believing in the ethics of democracy, to the old world tenaciously holding to royalty and aristocracy and the privileges and power of class. Lecky has recently reiterated the old charge against democracy, that it is the rule of the mob and government by the least fit, the placing of power in the hands of the incompetent.

THE PEOPLE STEADFAST IN THEIR LOYALTY.

In the personality of Lincoln, democracy makes answer. He believed profoundly in the ultimately political and moral sanity of the people, and the people returned the confidence of their great leader. In '62 and '63 and '64, when powerful men, from motives which we can now scarcely understand, would have undermined and defeated the president, the people stood by him and would not believe his traducers. It is perhaps one of the finest illustrations of the fact that the power of personality is not less but greater in a republic than in any other form of government. This of course offers temptation to the part of the demagogue, but the demagogue is only the betrayer of the people's trust and one of the loftiest principles of democracy, and that people is stupid indeed that does not sooner or later discover the demagogue. True character has also its reward and no judgment this side of the eternal is more final, either in condemnation or in approval, than the ultimate judgment of a free, intelligent and moral people.

IMPERIALISM OF DEMOCRACY.

Instead of accepting the judgment of the detractor of democracy, let us rather say, that democracy makes possible a fearlessness and independence of spirit, a resourcefulness of intel-

lectual and an invincible power of will, an imperialism of character such as no other form of government can equal.

Of imperialism which could not brook opposition, which would rule or ruin, of that kind of imperialism which disdains to recognize the sentiments and convictions of the people, the old world has furnished abundant illustrations but it has remained for democracy to illustrate an imperialism and an independence of character carried to its throne of influence and power, not in opposition to but by reason of the possession of a magnanimity like the magnanimity of Jesus Christ.

LINCOLN'S DEMOCRATIC MAGNANIMITY.

At a late hour of his second election Lincoln in answer to serenade said, "I am grateful to each for this approval of the people. But while deeply thankful for this mark of the confidence in me, if I know my own heart, my gratitude is free from any taint of personal triumph. It is not my nature to triumph over anyone, but I give thanks to Almighty God for this evidence of the people's resolution to stand by free government and the rights of mankind."

THE DEATHBED SCENE AND THE TRIBUTE OF STANTON.

Around the deathbed of Lincoln was a notable group of men, men who had wrought together with their stricken chief throughout the crucial years of the Civil War, at one of the momentous tasks of the ages. Among them was the iron minister, Edwin McMasters Stanton, and from his lips came one of the highest tributes ever paid to statesman or ruler. "There lies", said he, "the most perfect ruler of men the world has ever seen."

None could know this better than Stanton. Lincoln had ruled him. And this leadership has developed from the most inauspicious beginning.

Stanton made no attempt to cancel his contempt for Lincoln, the western lawyer, when they first met in the famous McCormick case. He referred to him as "long, lank creature from Illinois, wearing a dirty linen duster for a coat on the back of which perspiration had splotted wide stains that resembled a map of the continent." And Mr. Lincoln overheard Mr. Stanton re

mark, "Where did that long-armed creature come from, and what can he expect to do in this case?"

Lincoln, who was as free as mortal man could be from harboring sentiments of resentment towards anyone, did say of this experience, "I have never been so brutally treated as by that man Stanton."

This cordial dislike remained. Stanton was a good hater and his ill opinion of Lincoln ripened into a sarcastic and bitter and outspoken depreciation of Lincoln after the latter became president. Writing to Major General Dix in the early months of Lincoln's administration, "No one can imagine the deplorable condition of this city, (Washington) and the hazard of the government, who did not witness the weakness and panic of the administration, and the painful imbecility of Lincoln." And to the ex-president, Stanton wrote, "A strong feeling of distrust in the candor and sincerity of Lincoln personally and of his cabinet has sprung up, so that no one speaks of Lincoln or any member of his cabinet with respect or regard." "In less than thirty days Davis will be in possession of Washington. It is certain that the administration is panic stricken for some cause." Of the first Bull Run defeat, he wrote, "The imbecility of this administration culminated in that catastrophe. An irretrievable misfortune, and national disgrace never to be forgotten are to be added to the ruin of all peaceful pursuits and national bankruptcy, as a result of Lincoln's running the machine for five months. It is not unlikely that some changes may take place in the war and navy departments, but none beyond these two until Jeff Davis turns out the whole concern." He "courteously" referred to Lincoln as "the original gorilla."

In spite of all this in January, 1862, Lincoln nominated Stanton as secretary to succeed Cameron. Stanton was a staunch democrat but an uncompromising and loyal Union man.

Stanton accepted and said, "I will make Abe Lincoln president of the United States." Stanton was himself an imperious man. He might have been selected as the born ruler. An iron will, tremendous power of brain and purpose, a massive man with pre-digious capacity for hard work, he was one of the ten thousand to command.

Yet in the patient, absolutely self-mastered Lincoln he found his own master. After three years of service in which Stanton made a record as war minister, surpassed by few of the great war ministers of history, he could say of Lincoln without stint or reserve, "There lies the most perfect ruler of men the world has ever seen."

OTHER INSTANCES OF LINCOLN'S MAGNANIMITY.

Such was the magnanimity of Lincoln when he appointed Salmon Chase to the supreme court. Such was his magnanimity in his attitude and spirit in the work of reconstruction, already beginning before his death and for which, I believe, he had a greater genius than for war. Such was his magnanimity in his treatment of Stephen A. Douglas, his political foe, but his firm friend at the last and his royal supporter for the integrity of the Union. In all the state papers and speeches of Lincoln, filling two large volumes, written or uttered many of them in the awful agony and passion of civil war, one searches in vain for an uncharitable word or the revelation of an unchristian spirit. I do not know of such charity save at Calvary.

THE SAVIOR OF HIS COUNTRY.

Lincoln has been called the Savior of his country. This designation is appropriate, for he entered, in a very profound sense into the nation's sorrow and made it his own. One of the masterpieces of the literature of the ages is the 53rd of Isaiah, in which the prophet personifies the nation as though it were a suffering servant of Jehovah. This ideal picture of one who seemed smitten on God, upon whom our iniquities were laid and the chastisement of our peace, was never realized in full until he who hung upon Calvary said, in his final prayer, "Father, forgive them, for they know not what they do." I trust it will not seem irreverent for me to place beside this prophetic utterance another great piece of literature that will live, even though all else should perish to which our nation has given birth. I mean the address of President Lincoln at the dedication of the cemetery at Gettysburg.

Lincoln had closed his first inaugural March 4, 1861, with these matchless words: "We are not enemies, but friends. We

must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearth stone all over this broad land, will yet swell the chorus of the union when again touched, as surely they will be, by the better angels of our nation." At the time of his Gettysburg address the awful tragedy had gone forward, the sorrow had deepened, it was the opportune moment provided. There was a soul great enough and a vision far reaching enough for the prophetic word to be spoken, and that word Lincoln uttered.

LINCOLN INCARNATED THE IDEALS OF DEMOCRACY.

Out of the deepest sorrow comes the deepest inspiration, and out from the darkness, the struggle and the strain, the true prophet comes with clearest and furthest vision. I believe we must say, that if there be any man in our history, up to the present hour, who adequately incarnates the ideals of democracy, it is Lincoln.

Such was Lincoln, "The Man of the People."
"The color of the ground was in him, the red earth;
The tang and odor of the primal things—
The rectitude and patience of the rocks;
The gladness of the wind that shakes the corn;
The courage of the bird that dares the sea;
The justice of the rain that loves all leaves;
The pity of the snow that hides all scars;
The loving kindness of the wayside well;
The tolerance and equity of light
That gives us freely to the shrinking weed
As to the great oak flaring in the wind—
To the grave's low hill as to the Matterhorn,
That shoulders out the sky.

And so he came.

From prairie cabin up to Capitol,
One fair ideal led our chieftain on.

Forevermore he burned to do his deed
With the fine stroke and gesture of a king.
He built the rail-pile as he built the State,
Pouring his splendid strength through every blow,
The conscience of him testing every stroke,
To make his deed the measure of a man.

So came the Captain with the mighty heart:

He held his place—

Held on through blame and faltered not at praise.
And when he fell in whirlwind, he went down
As when a kingly cedar green with boughs
Goes down with a great shout upon the hills,
And leaves a lonesome place against the sky."

Governor Vessey: I want to congratulate every member of this audience because they have been here during this address. We will now listen to a solo by Mr. Hedge.

THE FORMAL DEDICATION.

The formal dedication was conducted by Pierre lodge, Independent Order of Odd Fellows, under a special dispensation granted by the grand lodge, and occurred in the rotunda of the capitol at 7 o'clock in the evening. The beautiful, special ritual for the occasion was written by a committee consisting of Otto Linstad, C. E. Swanson, C. B. Billingshurst and Charles S. Whiting.

In preparation for the ceremony a dais had been erected on the northeast side of the rotunda upon which the members of the capitol commission, and the officers of the lodge were seated.

A tremendous throng had assembled from every section of the state, and the corridors of the capitol were crowded to their fullest capacity. Upon the approach of the appointed hour, Company A, South Dakota National Guard, filed in from the front of the capitol, cleared the rotunda and formed double lines through which the Fourth Regiment band marched to a position on the balcony of the second floor. The officers of the lodge and the members in regalia then came in, the officers proceeding to the dais and the members taking places in the center of the rotunda. Heralds were posted in elevated positions, north, east, south and west.

The officers were as follows:

Charles S. Whiting, chief justice of the supreme court, grand master.

Adolph W. Ewert, grand marshal.

O. S. Basford, grand chaplain.

William Grebing, Herald of Liberty.

E. C. Kindley, Herald of Equality.

C. E. Wisard, Herald of Justice.

Otto Linstad, Grand Herald.

Governor Robert S. Vessey, for the capitol commission.

Opening the formal ceremony, Governor Vessey said:

Most Noble Sir: Being desirous that this building should be dedicated with appropriate ceremonies by your honorable order, we, the capitol commission, have solicited your attendance upon the present occasion and hope that it may now be your pleasure to proceed in the performance of that service. The necessary preparations are all made, and now await your direction.

Grand Marshal: Honored Sir: In compliance with your request so politely tendered, I now proceed to discharge the duty desired, hoping that this building here completed, with satisfaction to the owners and profit to the workmen, may long endure, peace, prosperity and happiness abounding with this people and justice always prevailing.

Grand Marshal: Let us be attentive while the grand chaplain invokes the Divine blessing.

Grand Chaplain: Direct us, O Lord, in all our doings, with Thy most precious favor, and further us with Thy continual help, that, in all our works begun, continued, and ended in Thee, we may glorify Thy holy name, and finally, by Thy mercy, obtain everlasting life. Amen.

Opening ode:

Brethren of our friendly Order,

Honor here asserts her sway;

All within our sacred border

Must her high commands obey.

Join, Odd Fellowship of brothers,
In this song of truth and love;
Leave dispute and strife to others,
We in harmony must move.

Honor to her court invites us—
Worthy subjects let us prove—
Strong the chain that here unites us,
Linked with Frindship, Truth and Love.

In our hearts enshrined and cherished,
May these feelings ever bloom—
Failing not when life has perished,
Living still beyond the tomb.

Grand Marshal: Most Worthy Grand Master, it is the will and pleasure of the capitol commission of this commonwealth, that the ceremony of dedicating this edifice to the uses and purposes for which it is erected do now proceed.

WORTHY GRAND MASTER'S ADDRESS.

Gentlemen of the Capitol Commission: In the name and on behalf of the Independent Order of Odd Fellows of the State of South Dakota, I accept for dedication to the purposes for which it has been erected, this splendid building. To you the present occasion must be one especially gratifying. Today you witness the consummation of that for which you have ardently toiled and hoped, today you hail the completion of that for which you have zealously and faithfully labored—and today you receive the plaudits and well deserved thanks of your fellow citizens throughout the length and breadth of our fair state.

I congratulate you and your predecessors upon the completion of this beautiful edifice which stands in all its splendor, the free gift of this nation, and which we are about to dedicate to the underlying principles of all perfect government, liberty, equality and justice. It is that liberty for which our forefathers died; it is that equality upon whose altar the life of the great Lincoln was laid as a sacrifice; it is that justice for which all good men during all time have striven and without which no govern-

ment can long survive, to which we would dedicate this monument. It is, therefore, not so much this temple made by mortal hands, beautiful and grand almost beyond compare though it be, but rather the principles for which it must stand that should demand our attention. These principles have been exemplified and preserved by the people of this commonwealth from the day of its birth and today we stand proudly forth among the sisterhood of states without a stain upon our escutcheon and it will be well for those to whose care the duties of state shall be hereafter entrusted and who shall serve the people within the walls of this beautiful building, to realize that it is no light task for them to so conduct the affairs of this great state, that their record may bring to them glory the equal of that which has come to those who during the past score of years labored within the walls of that rude structure whose existence remains to us only as a dream. These men have left us a grand heritage, let us well care for and preserve the same.

The principles upon which all true government must be founded are eternal. The strength of a government so founded is not in the wealth of its people as wealth is usually reckoned, nor in its armies, nor is it to be gauged by the grandeur or beauty of any monument such as this one which has been built by human hands—it lies within the people themselves, within their hearts and their minds, and is dependent upon whether or not such people are inspired with those principles that make their possessors truly great. If our government is to continue, as we believe it is destined, until the walls of this beautiful capitol shall have crumbled to dust, it will be at the price of eternal vigilance in preserving that liberty, equality and justice to which our fathers have dedicated and to which we believe God has consecrated this nation, a vigilance which can only cease when that happy time shall come, when all people shall be inspired with the pure principles of friendship, love and truth, the three links that shall bind humanity into a bond of universal brotherhood, and every man shall reflect in his nature and relations the image of the Great Deputy Grand Master who was sent from the Grand Lodge on High that all might be fitted to sit at the feet of the Master in that beautiful City not made by hands.

Psalm CXXII.

Grand Master: I was glad when they said unto me, Let me go into the house of the Lord!

Response: Our feet shall stand within thy gates, O Jerusalem!

Grand Master: Jerusalem is built as a city that is compact together (at unity in itself).

Response: Whither the tribes go up, the tribes of the Lord, unto the testimony of Israel, to give thanks unto the name of the Lord.

Grand Master: For there are set thrones of judgment, the thrones of the house of David.

Response: Pray for the peace of Jerusalem; they shall prosper that love thee.

Grand Master: Peace be within thy walls, and prosperity within thy palaces.

Response: For my brethern and companions' sakes, I will now say, Peace be within thee!

Grand Master: Because of the house of the Lord our God, I will seek the good.

Response: So be it.

Grand Master: Hear—hear—hear, all men: By the authority and in the name of the Grand Lodge of the Independent Order of Odd Fellows of the State of South Dakota, I dedicate this building to Liberty, Equality and Justice, and by this solemn act I hereby declare it duly dedicated. The Grand Marshal will please cause this dedication to be appropriately proclaimed.

Grand Marshal: Brothers Grand Heralds of the East, South, West and North, by the solemn act of the Most Worthy Grand Master of the Grand Lodge of South Dakota, this edifice is duly dedicated to the purposes for which it was erected—for the promotion and establishment of Liberty, Equality and Justice in their fullest extent. It is his will and pleasure that the same be proclaimed, which duty you will perform.

Herald of Liberty: Hear, all men—By command of the Most Worthy Grand Master and in the name of Liberty and for its protection, I proclaim this building dedicated.

Herald of Equality: Hear, all men—By command of our Most Worthy Grand Master, I proclaim this building dedicated to the promotion of Equality among mankind.

Herald of Justice: Hear, all men—by command of our Most Worthy Grand Master, I proclaim this building dedicated to the establishment of Justice.

Grand Herald: Hear—hear—hear, ye all men! By command of our Most Worthy Grand Master, I proclaim this building dedicated to Liberty, Equality and Justice. Our forefathers have wisely made these principles the corner stones of this government. Upon their solid bases the whole superstructure has securely rested, and, as we believe, is destined immovably to repose until time shall be no more.

Grand Marshal: Most Worthy Grand Master—Proclamation has gone forth to the four quarters of the globe, that all men may hear and know that the true principles underlying all just government have here a dwelling place.

Grand Master: The Grand Chaplain will now address the Throne of Grace.

Grand Chaplain: We humbly beseech Thee, O God, to bless this edifice and consecrate it to the promotion of the good objects to which it has this day been set apart. Let Thy protecting care be over the men who shall be called from among the people to serve them within its walls. Keep their feet upon the right path and guide them by Thy power in the way everlasting. Make them faithful to their duties and zealous in every good work, so that when the solemn close of life comes, the soul of each may be stayed upon Thee. And unto Thee, our God and Father, be ascribed glory and dominion, and power, world without end. Amen.

Grand Master: Grand Marshal, in the name and by the authority of the Grand Lodge of the State of South Dakota, I direct you to deliver to the people of the State of South Dakota, through their chief magistrate, this building which we have today dedicated.

Grand Marshal: Governor Vessey, to you as the representative of the great people of the State of South Dakota, we now deliver into your hands this beautiful temple which has been dedi-

cated to the principles of Liberty, Equality and Justice. May all the influences that flow hence be good and for good now and forever. Amen.

Response: So may it be!

Grand Chaplain: Now unto him who is able to keep you from falling, and to present you faultless before the presence of His glory with exceeding joy, I commend you and the whole family of man. And to Him, the only wise God, our Saviour, be glory and majesty, dominion and power, now and forever. Amen.

Music by Fourth Regiment band.

REMINISCENCES OF JOHN PATTEE.

PREFATORY NOTE.

Upon the invitation of the writer, in the summer of 1900, Colonel John Pattee, then a resident of the soldiers' home at Hot Springs, began to write his recollections of his military career in the Indian war of 1862-66, during which period he was in command of troops in the Dakota country, and from time to time during the remainder of his life, as his infirmities due to advanced age permitted, he jotted down such things as came to his memory and as far as possible verified them by official reports. At his death he entrusted the manuscript to his comrade at the Home, who also had served with him in the Dakota campaigns, Thomas Tate, a member of the Dakota cavalry, and from Mr. Tate they ultimately came into the possession of this society. Finding the manuscript throws a good deal of new light upon the operations of those days and particularly upon the location of the posts at Sioux Falls and at Rockport upon the James, as well as upon the rescue of the Shetak captives and the campaigns in which the Dakota cavalry took part, the committee upon printing has deemed it wise to give the story publicity in this volume of our collections.

John Pattee, the author, was born in Canada in 1821. In his youth he immigrated to Pennsylvania and thence to Iowa. In the later state he was elected and served a term as state auditor, and on September 14, 1861, enlisted in Company A, Fourteenth Iowa infantry, and was chosen captain of the company and assigned to duty on the Dakota frontier. He was mustered out at Sioux City, Iowa, on June 22, 1866, with the rank, brevet brigadier general, having served as captain, major, lieutenant colonel, and brevet colonel. After his discharge he spent most of his remaining years on the Missouri in Dakota and in the Black Hills. He died of heart failure in the Home November 30, 1901, and was buried in the Home cemetery.—D. R.



JOHN PATTEE

DAKOTA CAMPAIGNS.

BY LIEUTENANT COLONEL JOHN PATTEE.

On the 26th day of November, A. D. 1861, I crossed the Big Sioux River from Iowa into Dakota Territory for the first time with Companies A, B, and C of the 14th Iowa Volunteer infantry, numbering 299 men who had been mustered into the United States service on the 23d and 24th days of October, 1861. (1)

We went into camp a little below there (2) and stayed until the morning of the 28th, when we started for Fort Randall, and reached Elk Point a little after noon; the next day we reached a point about one mile above Vermillion. On the 30th of November we made camp on the west side of the James River. On the 1st of December we camped at a small lake eight miles above the city of Yankton, (3) which was then the capital of the territory. The day was intensely cold, with the strong wind in our faces, and the men suffered more than on any other day since we left Iowa City, Iowa. On the 2d of December it was not quite so cold and we camped on a small creek about three miles from Bon Homme. (4) December 3d we camped on the west branch of Choteau Creek, where we enlisted three men and mustered them into the service. Their names were as follows: Columbus Irish, Jerome Irish, (5) Lewis Young. (6)

At this camp we were overtaken by the stage from Sioux City, and as I had been requested by the commanding officer at Fort Randall, (7) I took a seat in the stage with the quartermaster of the battalion and went on to the Yankton agency that

1. The remainder of the regiment went south and was practically destroyed in the battle of Shiloh.

2. This was a famous camping ground. It was located just south of the Chicago, Milwaukee & St. Paul railway bridge. It was occupied by General Harney for an extensive winter cantonment in 1855-56, and during the Indian war was almost constantly occupied by troops.

3. This lake has dried up since the cultivation of the adjoining country. It was near the western edge of Yankton county.

4. Snatch creek.

5. Columbus and Jerome Irish were sons of Silas G. Irish, the first treasurer of Dakota territory, who then resided at Bon Homme. Both are dead. Silas G. Irish, at 96 years of age still (1906) resides at Whiting, Iowa. Another son, Omar, also served in the Indian war, and Silas G. himself, was captain of the Bon Homme militia called into service by Governor Jayne, on August 30, 1862, for the protection of the people from threatened Indian incursions.

6. Lewis Young was also a young man of Bon Homme, a South Dakota boy.

7. For history of Fort Randall see Vol. 1 South Dakota Historical Collections, 290 et seq.

night and to the fort the next morning, while the troops camped in the first timber above the agency. I found two companies of the 4th U. S. artillery (8) at Fort Randall under the command of First Lieutenant Thomas Tennant,(9) a bright and agreeable gentleman. He had the papers all made out and the transfer of the stores was commenced and hurried through in the shortest time possible so that the two companies which had been ordered to Kentucky could begin their long overland march to St. Joseph, Missouri.

My troops arrived there on the 5th and I assumed command of the fort at 8 o'clock on the morning of the 6th day of December, 1861. It was to me a new and untried business, but with an honest purpose in view and 302 exceptionally good men to aid me I did the best I could. I found every kind of artizan and mechanic that could be needed; in fact, professional men were not wanting, for I had one physician and one lawyer in the company of which I was the captain (Company A).

The fort was what was commonly called an open Cantonment—no works for protection against the attacks of an enemy. The site selected was an ideal one for a post of the kind. The fort was located and work of construction commenced in 1856 (10) by General Harney, then a colonel, I believe, of what was known as the Second regiment of U. S. Dragoons. (11) The buildings were constructed of logs mostly, some of round logs and some hewed logs, (12) and were fairly comfortable. The magazine and guard house were of logs hewed both sides, and were good substantial buildings. The store house for commissary and quartermaster's property were frame buildings and very commodious.

8. These companies had come into the country with Harney in 1855.

9. Lieutenant Thomas R. Tannatt is the officer referred to. He was a native of New York but was appointed to the military academy as a cadet from Massachusetts in 1854. As stated he left Randall to go south, where he was promoted to captain in August, 1863, and was at once made colonel of the 16th Massachusetts infantry. He resigned from the army in July, 1864, and now (1906) is engaged in business at Portland, Oregon.

10. See Vol. 1 South Dakota Historical Collection, 290. For sketch of Harney, *Idem*, 107.

11. Soldiers specially equipped for frontier service, to serve either on foot or mounted as the service demanded.

12. A good part of the material used in the construction of Fort Randall was floated down from Fort Pierre, which was dismantled by the government at the time of the erection of Randall.

Supplies were sent up by steam boats from St. Louis, Missouri, once each year in June, at the time when there was the most water in the river. The hay needed was cut on the prairies near by and generally on contract.

As nearly all the men in the command were from farms and workshops I deemed it advisable to keep them reasonably busy, and details were made and placed on what was called "extra duty" and were paid 25 cents per day, thus increasing the monthly pay 50 per cent. The most of the men were industrious and gladly availed themselves of this extra duty service and cut wood and hay for the use of the men and officers stationed at the post. No contracts were made for hay or wood while we remained at that post. There being a very good saw mill at the post 100,000 feet of lumber was manufactured by extra duty men during the first year we were stationed there.

The Yankton Sioux, as they are commonly called, lived near by and were very peaceable, and gave very little trouble. I heartily wish I could say the same of all of the white people who lived along the river. But of the old pioneer settlers along the river, some of them came from St. Louis, and some of these were strongly in favor of the confederate side. It is a singular fact that of the officers of the 4th U. S. Artillery stationed at Fort Randall in the spring of 1861 seven out of the eight obtained leave of absence and went south and resigned their commissions and without waiting for the acceptance of their resignations accepted service in the Confederate army. Captain McCown was one of them. He was made a brigadier general and was killed at Island No. 10 when that place was captured by the Federal army, and that by one of the battalions of the Fourth U. S. Artillery. (13) I trust it will not be thought out of place in this connection to record another incident that occurred in Tennessee during the first year of the war. First Lieutenant Thomas Tennant, the officer

13. This is an error. General John Porter McCowan of the 4th artillery, was a native of Tennessee and entered the military academy in 1835. Upon graduation he was assigned to the 4th artillery and remained with it until his resignation to enter the Confederate army, having previously been promoted for conspicuous bravery in the Mexican war. He was a major general in the C. S. A., but survived the war and died January 22, 1879.

whom I relieved at Fort Randall, was a graduate of West Point academy, educated for the artillery, and when he arrived in Tennessee was placed on duty as chief of Artillery on General Budd's staff. He was ordered to make an examination of one of those church colleges, where he found in the printing establishment connected with the college a large amount of machinery for the manufacturing of ordinance stores, and the president explained to the lieutenant that it was machinery for sterilizing, and he was very much surprised when he was soon after placed in arrest.

(The above was communicated to me in a letter written to me by Lieutenant Tennat in 1862.)

The winter of 1861-2 was not very cold and we got through quite pleasantly, and made some progress in military knowledge until the 4th of February, when one of the strangest things in my military experience occurred. There arrived at the post a team, or teams, with a party of men from Yankton. I regret that I can't now remember all of their names and that events so important in history should be shrouded in oblivion, but the main features are indelibly stamped upon my memory as though they took place yesterday.

Foremost among those visitors in point of rank was General Charles Booge (14) of Sioux City, Iowa, or Yankton, Dakota Territory, Commissary General of Dakota. There was another as Adjutant General, (16) and they were so recorded in the records kept at the guard house. Another was recorded as William P. Lyman, Major of the Dakota Volunteer Cavalry, (17) I will relate circumstantially in as few words as possible this curious affair: There had been one company mustered into the U. S. service. One of the lieutenants of my command, M. R. Luse, first lieutenant, Company B, had been detailed to go to

14. Charles Booge was a wholesale merchant doing business in Sioux City, but claiming residence in Dakota. He was a candidate for congress in the first election in 1862, and at this date, was adjutant general of Dakota with rank of brigadier general.

15. D. T. Bramble of Yankton, a wholesale merchant and member of the territorial legislature, was quartermaster general at this date and may have been a member of Lyman's party.

16. Colonel Pattee was probably in error about this as Booge was adjutant general at the time.

Yankton and muster into service Capt. Nelson Miner, (18) Company A, Dakota Volunteer Cavalry. That company had at the request of Governor Jayne been stationed by order of the war department at the capitol of the territory, I think to be under the direction of the governor. From all that we had been able to learn from the army regulations (a book published by authority of congress, and in fact was an act of congress) which we had all studied constantly and assiduously, it was necessary to have two companies in the service before a major could be commissioned and put into service. Captain Tripp, (19) Company B, was not mustered in until the next year. Now the whole of this business was conducted in the most precise manner under the prompting of a man by the name of Wherry, (20) a clerk or salesman in the suttler's store, who had been in the store for a number of years and had picked up some little knowledge about the manner of conducting a military post. In the first place William P. Lyman was quartered at what was known as the mess house kept by Mr. Fuller, (21) the beef contractor, where all travelers arriving at the fort went for food and lodging. Then he sent word to me that he had been appointed Major of the Dakota Volunteers, and had instructions from the secretary of war to take command of the military post of Fort Randall and of the volunteers stationed there. Of course, I had learned in the few months I had been in the service that an officer arriving at the station, if he was superior in rank to the officer in command of the

18. Captain Nelson Miner was a native of Ashland county, Ohio, where he was born in 1824. He was a lawyer by profession, but devoted many years to other interests. After his marriage to Miss Cordelia Gates, they emigrated to Missouri where Captain Miner became interested in the steamboat business and his interests becoming more and more upon the upper river he removed to Sioux City where his home was when the Dakota country was opened to settlement in 1859, when he removed his family to Vermillion. After the close of the Indian war he practiced his profession in Vermillion until his death in 1880. In the meantime he was register of the Vermillion land office and was a member of the council in the ninth, tenth, twelfth and thirteenth legislatures, being a member of that body at the date of his death. Three sons and five daughters survive him and are still (1906) honored citizens of South Dakota.

19. Captain William Tripp.

20. Jesse Wherry came to Dakota in the spring of 1861 as receiver of the United States land office at Vermillion, upon appointment of President Lincoln. He did not qualify as land officer. He was a Virginian and somewhat beligerant in his views and attitudes, and on one occasion engaged in a fist fight with Governor William Jayne over the bill granting the right to vote to half breeds. Franklin Taylor says of him: "He was born at Richmond, was a member of the bar but paid little attention to his profession. He possessed the characteristic traits

station would thus give notice and it was my duty to call on him as requested. Accordingly I called without delay at Mr. Fuller's, who with his family had been allowed to occupy a vacant set of officers' quarters that was not needed by an officer. I found him accompanied by this prompter, Mr. Wherry. He repeated the message that he had sent and claimed the right to take command of the post and of the troop stationed there. I asked him to furnish me with a copy of his instructions. He showed me a paper partly printed and partly written, interlined and erased. The paper was one used in the adjutant general's office to notify one who has been promoted or appointed to office by the president and is accompanied by another blank in which he is directed to signify his acceptance or non-acceptance of the appointment and it further says that if his appointment shall be confirmed by the senate he will be commissioned accordingly. But it was so erased and altered that I took some time to read and understand it. I then informed him the paper was so irregular that I feared it had been prepared by some one who had no right to use it and that I would not surrender the command to him, and left him, saying that there were two other important reasons for my refusal. In the first place there was only one company of Dakota Volunteers when the law required two. In the second place the law provided that the territory had a loyal governor. It was made the duty and the privilege of the governor to appoint and commission the officers of the regiment. Thus ended the first interview.

The next morning when I went as usual to the office at the time of guard mounting, I found that after my interview with him Mr. Lyman had either that night or early the next morning visited the post adjutant with one of the officers of my regiment and told

of the better class of southern people. Sensative in his nature and strong in his likes and dislikes. He was qualified to move in any society in which he might be thrown; would have been a cowboy on the plains, or in a drawing room the refined and polished gentleman. While on a journey between Fort Randall and Crow Creek he received a wound from the accidental discharge of a gun from which he died a few months later.

21. Alpheus G. Fuller was one of the first settlers at Sioux Falls, and who was the representative of the Dakota Land Company in its efforts to secure recognition before congress, and was candidate for delegate in congress at the election of 1859, but was defeated by Judge J. P. Kidder. He was a native of Maryland. He resided many years in Yankton, and died about 1900 while at his old Maryland home.

his story and got possession of the post order book and issued an order assuming command of the military post of Fort Randall and had issued another order putting me in arrest. Finding that some of my officers thought I was wrong I submitted to the arrest. After this another order was issued prohibiting me from going more than one mile from the garrison. I reported the matter to the governor of Iowa (23) and also to one of the U. S. senators (24) from Iowa who called on the president and the secretary of war. After the case was examined by the war department Mr. Lyman was notified that he was not an officer in the army and he quickly left the fort after turning over the command to the next captain in rank below me and not even to him did he make any explanation of his quitting the post, but said he would be absent for a while, he could not say how long and I remained in arrest for over a month. After I had received word from the governor of Iowa and from Senator James Harlan I assumed command of the post and asked for leave of absence for ten days, and visited Fort Leavenworth, Kansas, the headquarters of our district, and explained the whole matter and was furnished with a copy of an order issued by General Blunt (24) more than a month previously, dismissing the charges against me and releasing me from arrest. I have no doubt but what Mr. Lyman, if yet living, thinks he was once major of the Dakota Volunteers.

Captain B. Mahana, (25) Company B, 41st Iowa, being in command, addressed the following letter to Headquarters Department of Kansas:

Fort Randall, D. T., May 15th, 1862.

To the General Commanding District of Kansas, headquarters at Leavenworth, Kansas. Sir:—I ask for orders as to what course I shall pursue under the following circumstances: Companies A, B, and C of the 14th Iowa infantry came to this post last December (1861) under command of Captain John Pattee of Company A, 14th Iowa infantry. We remained until February 4th, 1862, when W. P. Lyman, major of Dakota Volunteers arrived with

23. Samuel J. Kirkwood who was a brother-in-law of Colonel Pattee.

24. Senator Harlan.

25. Captain B. Mahana; born in Tennessee 1807; died Sioux City.

orders from the secretary of war to take command of the post. Captain Pattee refused to relinquish, was put in arrest, and charges and specifications against him preferred by Major Lyman. These were sent to headquarters on the 18th February, 1862. On the 19th of April, 1862, Major Lyman received a letter from A. A. G., Washington D. C., stating that his appointment as major of Dakota Volunteers had been revoked. Major Lyman relinquished command to the undersigned. Up to this time nothing had been heard from the charges and specifications preferred against Captain Pattee. Pattee yesterday sent the enclosed note to me. (Note not found). Having previously received his refusal to relinquish command without orders he was in arrest and consequently could not assume command. These are the facts of the case as near as I can give them by letter.

Yours most respectfully,

(signed)

B. Mahana

Capt. Co. B, 14th Iowa.

The above letter was returned endorsed as follows.

Headquarters Dept. of Kansas. Fort Leavenworth, May 21st, 1862.

No charges nor specifications are in this office against Captain Pattee; he is therefore released from arrest and will resume his command.

(signed)

Tho's Moonlight,

Capt. and A. A. G. (26)

Thus ended this affair and William P. Lyman was never major of Dakota Volunteers, and I never was in arrest.

Nothing further of any importance occurred during the summer and troops at Fort Randall were agreeably employed in preparing wood and hay for the coming winter, until about the last of August, when we received the news of the most terrible massacre that ever occurred in the United States. The Yellow Medicine Indian Agency, was captured by Santee Indians in Minnesota. Five counties were depopulated and 800 white people were massacred in the most revolting and cruel manner. A number of women and

26. Thomas Moonlight, a Scotchman, who entered the army from Kansas in 1853, and rose by merit to be a brigadier general. He resigned in 1865 and engaged in business at Leavenworth. He died February 7, 1897.

children were made prisoners by the Indians. This occurred on the 21st and 22nd of August, 1862. (27)

After the fullest inquiry and investigation, running through months and months, it was conceded at last that the white people of Minnesota, but mostly the people near and connected with the agency, were responsible for this appalling calamity that chilled the blood of the white people of the United States. Troops were hastily organized in the state of Minnesota and started in pursuit of these Indians who had moved west. It would be superfluous at this time for me to attempt to give an account of what took place in that pursuit. It has been treated by others at great length, and published by the state of Minnesota.

But the result was that about 7,000 hostile and maddened Indians were driven into Dakota Territory. (28) They arrived at the Missouri River at a point about 100 miles above where Pierre, the present capital of South Dakota now stands. (29) Shortly after their arrival at the river a boat came down the river containing quite a party of miners from Idaho. A man quite well known to me for years afterward had taken passage on that boat at some point on the river (I think Fort Union or Berthold) (30) He was accompanied by his wife who was a Dakota woman. (31) They, seeing a large camp of Indians near the river, stopped the boat and before many had got on the shore Mr. Galpin's wife discovered that the Indians were hostile and she informed her husband of the fact and he consulted with the man in charge of the boat. The boat was tied to the bank by a rope and it was soon discovered that from thirty to fifty Indians were standing on the rope. The rope was severed by a blow with an ax where it crossed the edge of the boat and the boat swung out from the bank and a large number of arrows were discharged by the In-

27. The massacre began on the morning of August 18, 1862.

28. This is an exaggeration. There were only about five thousand of the Minnesota Sioux all told and a few hundred of these went into Dakota. The majority were captured at Camp Release.

29. Only 80 lodges, containing about six hundred Indians reached the Missouri at this time. They were the bands of White Lodge and Old Limping Devil. See Vol. 2 South Dakota Historical Collections, 306 et. seq.

30. Fort Berthold. See Vol. 1 South Dakota Historical Collections, 365.

31. Charles E. Galpin and wife. For sketches see Vol. 1 South Dakota Historical Collections, 364.

dians, but fortunately no one was injured. As they passed down the river a white woman appeared on the bank and calling to them in the boat that Mrs. Wright (32) and Mrs. Duly (33) with six children were prisoners among the Indians. The first post on the river where troops were stationed was Fort Randall. I was not at the post at the time the boat arrived there. Mr. Galpin wrote me a letter giving fully all the particulars. Upon my return two days after I began the organization of a party to see if we could by any possibility rescue those women and children from their captivity. It took several days to complete these preparations. On the 24th day of November, 1862, I received orders from Major General John Pope (34) in command of the department of the north west and stationed at Milwaukee, Wis., to do just what I was preparing to do. He had ordered Captain Millard, (35) who was stationed at Sioux City, Iowa, with an independent company of cavalry to visit the Indian camps in his vicinity, to afford any assistance that might be possible. Captain Millard arrived at Fort Randall on the 25th of November with nearly a full company that had been mustered into the service on the 18th day of November, 1861.

On the 26th day of November I started for Fort Pierre, (36) a trading post located about two miles above the Bad river on the west of the Missouri river, about 160 miles above Randall, with the following troops: Company B 41st Iowa Infantry; seventeen men of Company A, same regiment, organized as a battery with one 12-pound Mountain Howitzer gun and one 3-pound rifled gun. In addition to this I had seventy men of Captain Nelson Miner's Company A, Dakota Volunteer Cavalry. In this company there were many excellent men, most young men but old in experience as frontiersmen. This company, which had been mustered

32. Mrs. Wright. The subsequent history of this women appears to be lost.

33. Mrs. Duly. I can get no trace of her.

34. Major General John Pope, a native of Kentucky, entered the military academy as a cadet from Illinois in 1838. Served with honor in the Mexican war and the Rebellion. Died in the service September 23, 1892.

35. Andrew J. Millard, native of New York and resident of Sioux City, commissioned captain of "Sioux City Cavalry," to rank from November 4, 1861, transferred to 7th Iowa cavalry April, 1863, and mustered out November 23, 1864.

36. Fort Pierre. See First South Dakota Historical Collections, page 363 et seq.

into the service about the 30th of April, 1862, had for a time been stationed at Yankton under the direction of Governor Jayne, (37) and had been ordered to report to me at Fort Randall for duty as a part of that command. The first camp we made at Willow Creek, about eight miles from Randall. That evening we were overtaken by a messenger from Randall saying that the paymaster had arrived at Randall to pay the troops at that post.

As three companies of the Iowa troops of the 14th Infantry which had been transferred from the 14th to the 41st Iowa infantry because of the capture of the balance of Shiloh, at the battle in Tennessee on the 6th of April, 1862, had not been paid for six months, and I think the Dakota cavalry had not been since they mustered in, at least since the first of June. It was necessary for the cavalry to return to Randall that night with Lieutenant M. R. Luce of Company B, and Lieut. J. C. Ruess of Company A of the 41st Iowa went with the cavalry and returned to our camp the next night. I remained in camp with Company B and the artillery.

On the morning of the 28th we left for Fort Pierre and camped on Ponca Creek, having marched about twenty miles. The weather which had been quite fair turned cold and a little snow fell.

November 29th we moved out about two miles. We met Mr. Dupree (38) and Mr. LaPlant (39) with the two women and six children who had been with the Indians since the 21st of August previous. I had sent letters to Mr. Premo, (40) the superior commandant in charge of Fort Pierre, to send out some friendly Indians to the Santee camp and buy the women and children well knowing that with only 175 men it would be too

37. Governor Jayne. See First South Dakota Historical Collections, page 118.

38. Frederick Dupree, a French-Canadian, came to the vicinity of Pierre in 1838 and remained here until his death in 1898, about seventy years of age. He was for many years in the employ of the American Fur Company as an express runner and had many thrilling experiences. About 1860 he engaged in fur trading on his own account and later as the fur trade languished became an extensive stock grower. He was the founder of the large herd of domesticated buffalo now owned by Hon. James Phillip.

39. Louis LaPlant, also a French Canadian, came to Fort Pierre in 1855 in the employ of the Fur Company, but soon became an independent operator. He still lives at Leslie on the Cheyenne river and has amassed wealth in the live stock business.

40. Charles Primeau is the person referred to here. For sketch see First South Dakota Historical Collections, page 354.

hazardous for us to visit the Indian camp. The Indians sent out by Mr. Premo asked to buy the prisoners for me. The Indians promptly refused to part with the prisoners and returned to Fort Pierre. Then a few Indians that belonged to one of the soldier bands among the Sioux, called the Fool Band, got together and of their own accord concluded to try what they could do by going out and proposing to the Santees that they would buy the prisoners for themselves, and made arrangements with Mr. Premo that if he would give them some sugar and coffee with which they could give a feast to the Santees and buy the prisoners. This is the way that Mr. Premo explained the matter to me after my arrival at Fort Pierre. But Doane Robinson, publisher of the South Dakota magazine, informed me last July (1900) that he visited five of that party of eight who did finally purchase the prisoners and that they would make a statement under oath that they purchased the coffee and sugar, paying for them in peltries. I had been informed that the U. S. congress had appropriated \$2400 to pay those eight Indians for their trouble and was greatly pleased that the government had recognized the obligation. But these five that were still living say they never got one cent for their work. (41) I know I made a report of the whole matter to the government and urged that a liberal allowance be made them. (42)

After the women and children had been brought into Fort Pierre Mr. Premo gave them calico, cotton cloth and red flannel with which they clothed themselves quite comfortably, and started them down in wagons. After meeting them on the prairie, as related, I turned them back until I reached a good place for a camp which I found on Ponca Creek, about five miles above where I had camped the night before, and went into camp and my cook got dinner for the women and children. I had provided a tent for them with a Sibley stove and fourteen pair of blankets for their use. Some of the Dakota cavalry had known Mrs.

41. Several attempts have been made by the South Dakota delegation in congress to secure suitable recognition of the bravery and philanthropy of these worthy Indians. Congressional Record for March 24, 1904, also senate report No. _____ 59th congress, first session.

42. The chief of the record and pension office, under date of September 15, 1903, informs me that no such report is on file in the war department.

Wright and Mrs. Duly before they were captured and made glad their hearts by telling them that Mr. Wright and Mr. Duly were still alive when they had supposed they had been killed by the Indians. These prisoners had had very little to eat that morning, but willing hands aided by generous hearts made short work of preparing that dinner and they feasted while 175 men looked on with the most intense satisfaction. After, or during that dinner the men and officers made up a purse which, increased by the balance of my command at Randall, aggregated five hundred dollars.

The prisoners who had been rescued as related above were Mrs. Duly and two daughters; the oldest, about twelve years old, had been shot at the time she was captured so as to break the left arm above and below the elbow, shattering the elbow joint so as to stiffen the joint completely. Mrs. Julia Wright and her little boy about five years old; Lillie Everett, (43) about six years old, whose mother had been killed at the time of the massacre; and two girls by the name of Ireland. (44) They had been roughly treated—compelled to carry wood and water, help to put up the lodges. Mrs. Duly had been shot in the foot with a charge of shot by an Indian woman. Both of these women had been the wife of three different Indians, being traded from one to another. Mrs. Duly had been traded for a pair of pants and Mrs. Wright had been traded for a bag of shot. Their clothing was of the poorest kind, being a cotton garment without sleeves, old moccasins that had been discarded by the Indians; and when cold weather began they were compelled to keep up the fires. I advised them to go on to Fort Randall and visit until they could learn where their people were. I sent a letter to a Sioux City paper and a copy of the same to a paper in Cedar Falls, giving their names, ages and when captured, so that there could be no trouble in finding their people. My wife and daughter were at Randall and would take care of them, and there were seven or eight other women there that would assist in caring for them and make up clothing for them.

43. Lillie Everett is now the wife of W. R. Brown, New York City. The Everett family reside at Waseca, Minn.

44. Ireland girls. Can find no trace of them.

On the morning of the 30th of November, after each of these women had made a neat speech of about twenty minutes each, thanking us for what we had done for them, they started on for Randall.

We then started on our way for Fort Pierre, for our work was not finished. We camped that night at a place called the Water Holes. December 1st we made White River, a shallow stream about 150 or 200 feet wide, and found it frozen over, but had but little trouble in crossing it the next morning. December 2d we camped on a small creek, having marched about 15 miles. December 3d we camped on Medicine Creek December 4th we camped on Antelope Creek and on the 5th reached Fort Pierre. The fort was 400 feet square enclosed on all sides by log buildings and stockades. The force of men employed by the Fur Company was I think about twenty men and there was over two hundred thousand dollars worth of goods stored in these log houses for trade with the Indians for furs of different kinds. Mr. Premo informed me that a few years before the company bought over 20,000 buffalo robes in one year. There was at that time about 500 Indians camped near the fort. They were mostly peaceable. A few Santee (45) families had moved down and were camped by themselves. I had employed a half breed by the name of Rencontre (46) to carry mail from Randall, going up one week and back the next, but by a nearer route. In four days after my arrival word was sent to the Santee camp that I had arrived with 1,000 cavalry and the Santee camp was moved about 200 miles up the river to Painted Wood Creek. I immediately started the Dakota Cavalry back to Fort Randall to avoid drawing corn for the horses. I deemed it advisable to leave one company of infantry at the trading post for the winter. I thought it would serve a double purpose—protect the lives of the men employed there and also prevent the Santees from encroching upon the settlers below. Then

45. Santees. The Sioux bands from Minnesota who had engaged in the massacre of 1862.

46. Alex. Rencontre, son of Zephyr Rencontre, was born at Fort Pierre about 1843. His mother was a woman of the Sioux tribe. His father, who died about 1871, came to the Upper Missouri in 1828. Alex. Rencontre was educated at the University of St. Louis and still resides at Lower Brule agency.—Joseph Langlois.

with the battery and seventeen men started back to Fort Randall where I arrived on the 29th of December. While I had been gone a new military district had been formed by Major General John Pope, who had for some time been in command of the Department of the northwest with headquarters at Milwaukee, Wis. The new district was called the First Military District Department of the northwest. Brigadier General John Cook, (47) had been assigned to the command of the men of the district with headquarters at Sioux City, Iowa. General Cook had hurried up the river to see how things were going on and took the rescued prisoners away on the morning of the 29th of December, after they had heard nothing from their friends. They (the prisoners) had stayed with my wife for twenty-nine days and were quite rested and improved in health. Mrs. Duly had taken to her bed within an hour after her arrival and was not able to sit up for fifteen days.

I must confess I was a little surprised at the General taking them away as he only went as far as the Yankton agency and stayed there for a week. He then started with them for Sioux City, Iowa. The party was met at Yankton by Mrs. Wright's husband and at Sioux City by Mr. Everett, father of Lillie Everett. At Fort Dodge, Iowa, Mr. Duly met his wife. Each of these men had been living at different places—two in Wisconsin and one in Illinois—and supposed their families had been killed by the Indians until they saw my report which had been printed in their local papers. They each by themselves started for Fort Randall, as I had supposed they would do. I saw Mr. Duly two years after and he informed me that he had taken his wife from the stage at Fort Dodge and went to Mankato, in Minnesota, and that in about three weeks after his arrival there she had lost her mind and become a harmless imbecile. What became of them all I know but little. I have been informed by a Mr. Morgan that Lillie Everett grew up and married a man of considerable wealth

47. Brigadier General John Cook, was a volunteer soldier, a native of Illinois from which state he entered the services in 1861 and served with honor until the close of the war when he was mustered out with the rank of brevet major general.

in Minnesota. A year ago last October Mr. Duly died over on the Columbia river in Oregon, as seen by the notice published in the National Tribune. About a year ago I advertised for Mrs. Duly, but have heard nothing of her.

In January, 1863, I got a letter from Louis LaCompt, (48) who lived about fifty miles above Fort Randall, that a number of Santee families were camped near his place and they had various articles of clothing and other articles that had been made by white people. He supposed they had participated in the massacre. He also asked me to come up to his place and look after them. As there were some eight or ten families living along the river below him I concluded to look after their safety. So taking First Lieutenant J. M. Bacon (49) and eighteen men of Company A, Dakota cavalry, I left the fort, but strange as it may be thought, I can find no record of the date. I suppose a record of the detail was placed on the post order book but not on our own books. The post order book belongs to the post and cannot be taken away. However we reached LaCompt's the third day and found several lodges standing near his house. We approached within one quarter of a mile of them without being seen, and then riding up a steep bank which had concealed us from view we swung into line and made a charge at full run upon them and before any of them got out of their lodges we were within twenty feet of them with our carbines pointed at them. Tell me that an Indian never gets scared; that he is stoical and never shows by his actions what he feels and I will respectfully decline to believe it. They were badly frightened and showed it plainly. True, a

48. Louis LeConte was born at Old Fort Pierre, (Fort Tecumseh) in 1831. His father, Louis LeConte, was a Canadian from near Montreal, who became an employe of the fur companies on the Missouri at a very early date and married a Sioux woman of the well known Thunderhawk family. The younger LeConte married a half Indian daughter of Kinsler, a German fur trader of some renown fifty years ago. He left a large family, many of whom still reside along the Cheyenne river—Joseph Langlois.

49. J. M. Bacon settled in Sioux City among the first settlers there and came into Dakota after the treaty of 1859. He enlisted in Company A, Dakota cavalry, and upon the resignation of Lieutenant Plughoff, was made second lieutenant and later when Lieutenant Fowler resigned he became first lieutenant. In the expedition of 1864 he was brigade quartermaster. He was a highly competent officer. At the crossing of the Yellowstone river he was thrown from his horse and narrowly escaped drowning. After the war he engaged in the hardware business in Sioux City. In 1895 he removed to California where he died within a few months.—A. M. English.

force of twenty men is not a very formidable force, but the Indians in their fighting do not come to so close quarters at the first dash. It so happened that a part of the Indians were out hunting rabbits, and I sent Lieut. Bacon with one half of the force up along the river and they soon found the party of eight men returning from their hunt. They were within ten rods of them when first sighted and Sergeant Benjamin Estes, (50) who was one of Bacon's party could speak in the Indian Tongue, and ordered them to lay down their guns or be fired upon, and he gave the order in a manner that would have done credit to a major general commanding a division. They promptly obeyed the order. While Lieut. Bacon was out after this I took Tom Tate and John Bell and followed a trail over onto an island in the Missouri river and brought in one lodge and four prisoners. Again the next day on the way back towards Randall I took the same two men, and, leaving my horse, crossed to another island and brought in two lodges with four prisoners. We returned the sixth day about 2 o'clock p. m. with sixty-three prisoners. I called the chiefs of the Yanktons together at my quarters two days after and in their presence examined seven men of this party—one at a time—and by asking them questions they convicted themselves of having participated in the massacre in Minnesota, or at least they were there at the time. So the Yankton chiefs decided. I thought it best to confine them and report the case to my superiors for instructions. But after holding them for some time they got away from us by cutting a hole in the floor and removing the stones from the foundation of the prison. Nothing further occurred between the whites and the Indians during the winter of 1862-3. (51)

Preparations were going on at headquarters for an active campaign as soon as summer opened. The 6th Iowa cavalry under

50. Benjamin Estes was born in North Carolina about 1836. He left his home at an early age and served in the regular army. He joined Company A, Dakota cavalry at its organization. He was a fine soldier and was often employed by General Sully as scout, a service for which he was well adapted. I cannot speak too highly of him as a soldier and comrade. After the war he settled in North Dakota where he still resided at last accounts.—A. M. English.

51. See account of Sergeant A. M. English, *Monthly South Dakotan* for May, 1900.

Col. David Wilson (52) had been organized at Davenport, Iowa, during the winter, was ordered to Sioux City and the 2nd Nebraska cavalry under Col. Furnas, (53) was ordered to Sioux City. In May I obtained leave of absence for a few days and went to Sioux City and while there I got a letter from Fort Pierre saying there was danger of trouble at that place as there were congregated about 1500 warriors from several bands of the Dakota Indians. As these Indians had their families with them and had come in for the spring trade it did not seem likely that there would be any trouble, but the odds in numbers was too great to take any risk. I informed General Cook fully of the condition of affairs and urged him to take some action. He said that as he expected to go by way of Fort Pierre, or to a point opposite that place for his summer campaign he could send a battalion of the 6th Iowa cavalry to Pierre, and as he should have steam boats along the river it would be easy to cross them over to the east side of the river at any time they might be needed. So a battalion of the 6th were detailed to go, under Major Tenbrook (54) and he started with four companies. Now Iowa men made pretty

52. Colonel David S. Wilson is a native of Steubenville, Ohio, where he was born on the 18th of March, 1823. Both on the paternal and maternal side he came of loyal stock. His father was a revolutionary soldier, and later, for twenty years, was an United States receiver of public moneys at Steubenville. The father died when the son was six years of age, leaving him to be cared for and instructed by his mother. Upon the organization of the Iowa Territorial Courts, Thomas Wilson, an older brother of David, received the appointment of judge of the Northern District. In 1841, David joined his brother at Dubuque, and passed his first year in Iowa in opening up a farm of his brother's, near that place. The next year he entered the office of the "Miner's Express," the old-time democratic organ at Dubuque, and shortly after purchased an interest in the concern. He held the editorial department.

In 1844, he was elected a member of the territorial house of representatives, but with this exception confined himself to the editorial duties of the "Express" till the declaration of war with Mexico. Then he began enlisting a company for the service and succeeded so well as to secure a lieutenantancy. He was ordered with his command to relieve Captain, later General Sumner, who was stationed at Ft. Crawford, Prairie du Chien. Lieutenant Wilson continued in the service about three years, a brief portion of his time being stationed at Ft. Atkinson, and having charge of the Winnebagoes. This tribe of Indians he assisted in removing to their reservation in Minnesota.

While stationed at Ft. Atkinson, I am told, he devoted his leisure moments to the study of law; and the knowledge thus gained enabled him, soon after leaving the service, to enter the law practice. He opened an office in Dubuque, and made the law his business until the breaking out of the rebellion. I should not omit to state that in 1857 he was elected to the state senate from the Dubuque district. He was a democrat; but I need not have added that for he was from Dubuque.

53. Colonel R. B. Furnas, afterward governor of Nebraska.

54. Edward P. Ten Broeck, aged 23, born New Hampshire, enlisted Clinton, Iowa; commissioned major October 21, 1862; mustered in January 31, 1863; commissioned lieutenant colonel June 22, 1864; mustered lieutenant colonel October 29, 1864; mustered out of service at Sioux City, October 17, 1865.

good soldiers and Iowa soldiers made pretty good records in the war of the rebellion. But among the 55,000 soldiers furnished by the state of Iowa there were a goodly number of lawyers, and I will risk my reputation as a soldier by saying right here that a lawyer is no good in the army. If ordered to do anything he immediately starts out to argue the matter and do the thing after his argument is made. I served four years and eight months in the army and say without the least hesitation that I never saw the time or place when an argument would be in place or even premissible. The government of the army is necessarily simple tyranny. Orders must be obeyed. That is the essence of the whole matter. Now the 6th Iowa cavalry was made up of a splendid lot of men. The colonel was a lawyer. The Lieutenant colonel was a lawyer, and there were other lawyers in the regiment. Major Tenbrook, with his battalion, reached Fort Randall at the same time that I returned here, and as General Cook had given me verbal orders and instructions to go with that battalion and in command. Now here comes the lawyers. Tenbrook was major, I was also a major but several months older in commission and of course out-ranked him. We set to work to do what we had been ordered to do in good faith. We remained one day at Randall to draw rations. That night after I had returned, a couple of officers arrived at Fort Randall with orders from Lieutenant-Colonel Pollock, who had gotten within six miles of Randall with another battalion of the 6th cavalry, in which were the lieutenant-colonel, a lawyer, with two or three other lawyers and Major Tenbrook and one of his captains, who was also a lawyer, were called to cross the river in the night and go to started out to hunt them up and while out on Ponca Creek found a small camp of Indians and by signs ordered them to go towards the fort and with eight of these Indians marching in front after they got well away from the Indian camp, shot seven of them without any warning and one ran away. These Indians were just from the Yankton agency and the most loyal and friendly Indians that could be found in the whole country. The one that got away ran for Fort Pierre leaving their women and children in the camp without knowing what had become of the eight men. This Indian reached our camp and told his story and there was

Col. Pollock's camp, six miles below, and a regular conspiracy was entered into by these lawyers to get Major Tenbrook out from under my command, and a novel plan was adopted, but I did not find out till we reached Fort Pierre as on the way up it was not necessary for me to give orders, but as soon as we reached Pierre, Major Ten Brook refused to take orders from me because he was a major of a cavalry regiment, which being a higher branch of the service or grade than infantry he out-ranked me. The men, as I have said, were as good as any that could be found, but were not yet disciplined and they were simply let loose among three or four thousand Indians and overrun the whole country for miles around and so the second or third day got a fire started in the prairie grass and burned over all the country between Bad River and the Missouri river for 30 or 40 miles back. Major Tenbrook took a party and went down the river to look for a site for a camp where there would be grass for the horses and before he got back he had shot himself through the wrist of his left arm. Then one of his lawyer captains went up the Missouri with a battalion thirty miles and found a place where there was grass and camped for nearly a month, leaving me with one company of 87 men divided between two trading posts two miles apart to guard and protect a vast amount of property, with the Indian camp two miles long. One more calamity overtook me here through the 6th cavalry. Lieutenant-Colonel Pollock, after reaching Fort Randall, instructed his officers to treat all Indians above that place as hostile. Soon after some horses were allowed to get away and Captain Moorland, (55) with a small party of men

55. Sergeant Neuman of the Dakota cavalry was out hunting his horse which had developed a faculty for getting away to hunt for other pastures, was fired upon by a party of seven Indians. Neuman hastened back to camp and the writer was commanded to take the trail with a detachment of Company A boys to overtake the Indians if possible. We were soon on the trail and followed it until darkness stopped further search. Not being provided with rations I returned to the fort and reported to Colonel Pollock of the 6th Iowa cavalry. Next morning Captain Moreland of the 6th Iowa, with ten from that regiment and five Dakotans took the trail under orders from Colonel Pollock. He soon divided his little company into two parties, sending part of them across country toward the mouth of the Keya Paha; that appearing to be the direction taken by the Indians. Both detachments reached the Indian camp at the same moment and Captain Moreland ordered a charge which was gallantly and so successfully made that seven good Indians,—the entire party—were left food for the coyotes."—A. M. English.

great excitement and it looked for a time as though a fight was inevitable. I went out to the camp alone without arms of any kind and called on an interpreter and made a speech to the Indians, told them I was sorry for what had been done and asked them to wait until the general came up and I would try and get him to make some suitable arrangement with the families of the men that had been killed. I stayed in the camp for hours to show them that I was willing to trust to their good judgment. This I thought was the only way to avoid trouble.

We had only about four days' provisions in camp and were expecting a steamer up with supplies. There were about 2,000 warriors in the Indian camp and they would have annihilated us in twenty minutes had a fight been brought on. The steamer, Belle Peoria, arrived four days after with ample supplies and two companies of the 30th Wisconsin infantry, and with orders to move all the troops to the east side of the river. This was done immediately and Camp Peoria (57) was established and was maintained through the summer of 1863. News of importance was brought by the steamer. General Cook had been relieved from the command of the district by Brigadier General Alfred Sully, (58) who was up the river. I had been ordered to Sioux City, Iowa, by Major General John Pope to command the district temporarily during General Sully's absence in the Indian country. It took two or three days to move the troops to Camp Peoria and when that had been done the steamer started down the river and I with my horses and servants were on board. We found General Sully with his command in camp near the Crow Creek Indian Agency. His command was made as before stated of the 6th Iowa cavalry, the 2d Nebraska Cavalry and part of the 30th Wisconsin infantry, commanded by Lieut. Col. Bartlet, who was placed in command of Camp Peoria when they reached that place, where he remained until that camp was broken up, when General Sully returned from his campaign against the Indians. After a short consultation with the general the steamer moved

57. Camp Peoria was about 10 miles north of Pierre.

58. General Alfred Sully, See First Dakota Historical Collections. page 120.

on to Fort Randall, from which place I continued my journey by another steamer to Sioux City and assumed command of the district on the 25th day of July.

While at Fort Pierre Companies A, B and C were united with Captain Millard's independent company, called Sioux City Cavalry, that had been mustered into the service on the 18th of November, 1861, and with eight companies of troops recently enlisted, constituted the 7th Iowa Cavalry of which I became Lieutenant Colonel, with Laman Summers (60) as Colonel. I had at Sioux City but few soldiers. There was at the time of my arrival there a Second Lieutenant of the 16th U. S. Infantry was on duty as mustering officer. The difficulties that surrounded me in my position as commander of the district were of a serious nature. There were no records in the office of what had been done by the two commanders who had preceded me. To show the condition I will here copy from letters written by me during the first week I was in command of the first military district department of the northwest.

From the first letter written to my immediate commander I select the following:

Headquarters 1st Mil. Dist., Dept. Northwest,
Sioux City, Iowa, July 26, 1863.

"There are no orders or records left at these headquarters and I am completely in the fog without one single landmark visible to guide me in the transaction of business."

The above is quoted from the first letter I wrote after assuming command.

The next letter I will give entire:

Headquarters, 1st Mil. Dist. Dept. of Northwest,
July 28, 1863.

Commanding Officer at Omaha, Neb. Territory.

I have the honor to enclose herewith a copy of a letter which has been sent to these headquarters with a copy of Order No. 2 showing my action in the matter. The scene of the murder

60. Colonel Laman Summers, Native Virginia, enlisted at Ottumwa, Iowa.

being out side of my district, of course I can only afford temporary relief and protection. I have further information from there this morning. The fourth child has died from injuries received from the Indians and a surgeon has been sent from this place to try and save another—a girl about 14 years of age. I expect news today from the detachment sent from Capt. Tripp's Company "B", Dakota Cavalry, and will communicate any additional intelligence that may be secured.

I am very respectfully,

Your obt. servt.,

John Pattee,

Lieutenant Colonel, 7th Iowa Cavalry.

Commanding.

The above letter was in relation to the Wiseman children in Nebraska who had been attacked by some Indians that had crossed over the Missouri River from Dakota at a point a few miles above Vermillion. Four or five of the children, as I have since learned, were killed at once and two were left in an unconscious condition, and died shortly after. Mr. Wiseman, the father of these children was a soldier at the time in the 2d Nebraska Cavalry, which was a part of the Indian expedition under General A. Sully. I had ordered a detachment of troops from Lieut. Bacon's command of about 30 of Company A Dakota Cavalry at Vermillion to go to the Wiseman house and try to follow the trail of the Indians. I had sent a detachment from Capt. Wm. Tripp's Co. B, Dakota Cavalry. Both of these detachments pursued the Indians vigorously, but they were not overtaken. (61)

I will here insert another letter written on the same July 28th, 1863, shows the diversified interests that had to be looked to:

Hd Qrs 1st Military Dist.

Dept of the Northwest

Sioux City, Iowa, July 28, 1863.

61. The family of Henson Wiseman, four sons and a daughter, were killed by a party under the lead of a son of Inkpaduta's. The Indians escaped first to the lakes at Madison and then scattered through the Indian country. At the time of the massacre the mother was at Yankton trading and the father was serving in the 2nd Nebraska at Crow Creek Agency.

General:

I have the honor to acknowledge the receipt of some letters of the 25th inst. and am compelled to say that for the present I can afford no other protection for the men engaged in government surveys than to allow Captain Tripp to pass to the north of your men on the road from Turkey Ridge to Sioux Falls. In 18 or 20 days I expect additional troops here when I will be able to protect all of that country beyond a possibility of doubt.

(signed) John Pattee.

To General G. D. Hill, (62)

Survey General of Dak. Ter.

On the 28th day of July I reported at great length to department headquarters at Milwaukee in regard to the massacre of the the Wiseman children and urged the necessity of furnishing more troops for the protection of the people between Sioux City and Fort Randall, but none were at hand that could be placed on duty, they were so much needed.

On the 13th of August, 1863, I made a full report of the condition of the line of travel by the road leading from Sioux City, Iowa, to Camp Peoria, a distance of 290 miles. I had further reported that in all 550 troops to guard that road and owing to the low stage of the water in the Missouri River troops and supplies that we were to receive did not reach us and the expedition that had been sent up the river was well nigh a failure and that the summer's operations would not bring peace and safety to the citizens of Dakota. Therefore I urged an increase of the number of troops and the building of small stations at Crow Creek, Bijou Hills and one station directly east of Vermillion on the west side of the Big Sioux River. I also recommended the building of a one-company post about 60 miles from Yankton on the James River, and another post of the same kind at Sioux Falls. These two last named posts were located by me during the next spring and were garrisoned all summer and for several years after. I rented quarters at Bon Homme and caused a party of 12 soldiers and two non-commissioned officers to be stationed there, which

62. Hon. George D. Hill, surveyor general of Dakota territory 1861 to 1865.

enabled me to furnish an escort for the mail from Vermillion to Fort Randall.

On the 17th day of August orders were received to muster out Co. A, 2d Nebraska Cavalry, which constituted about one-half of the garrison at that place. I was not able to furnish a guard for the surveyor general, G. D. Hill, until August 22, when I directed Capt. Wm. Tripp to detail one sergeant and one corporal and eight enlisted men for a guard.

All the troops stationed along the river were kept very busy during the summer and fall of 1863. The two companies of Dakota Cavalry covered the ground from Sioux City to Bon Homme and rendered important and very efficient service.

Brigadier General Sully returned from his Indian campaign the 14th of November and I was relieved of the command of the district and detailed as acting Inspector General for the district and commenced my duties at Vermillion on the 24th day of November, 1863. I traveled 200 miles up the river and inspected all posts and small stations on the way and returned to Sioux City on December 25th, 1863.

On the 29th day of January, 1864, having completed my inspection reports, I reported to General Sully at Davenport, Iowa, where his headquarters had been established for the winter and was on duty there as inspector until the 14th of April, 1864, when I returned to Sioux City again with furlowed veterans who had re-enlisted for the full period that the war might last and brought with us from Des Moines, Iowa, 500 horses with which to mount the companies of my regiment serving in Dakota and remounts in the 6th Iowa Cavalry. In the meantime Brigadier General Sully had established headquarters at Sioux City and preparations for the campaign of 1864 were being rapidly pushed toward completion. I was relieved from duty as inspector and Capt. Marsh of the 6th Iowa cavalry was detailed as inspector in my place. I was then sent up to locate two new military posts—one at Sioux Falls and one on the James River, 65 miles above Yankton. For the post at Sioux Falls I chose the ground on the east side of the river near where the printing office had been burned by the Indians in 1862. With a compass I run the lines and stuck stakes for

a one company post. I then followed the correction line; went to the James River. Having been instructed to locate the post at or near Firesteel Creek, I pushed on up the river 23 miles where I found a fair crossing place and crossed to the west side. A company of the 6th Iowa Cavalry, under the command of 1st Lieutenant Washington M. Gall, had been ordered out by way of Yankton to build and garrison this post. I was not sure but we had already passed up, so I sent Sergeant I. A. C. Pattee (now residing in Kingsbury county) with five men to proceed at least six miles west to find out if these troops had passed up, while I with two men went up the west side of the river keeping out on the high prairie, but near enough to have a good view of the river, looking for a suitable place for the fort I traveled about six miles and found no place that was suitable or any more suitable than could be found lower down. I returned to our wagons about the time the sergeant and his party got back and reported having found the trail leading up the river. I then proceeded south or down the river on the high prairie to watch for the troops expected until dark. We then started east to find the river and found it at 9 o'clock at night. This place I viewed from the east side of the river as I passed up and in the morning I found a very good place for a fort of the kind we wished to build, with plenty of stone already to load onto wagons; with a good spring of water situated so that a part of it would come within the enclosure. Here I made the location. I surveyed and drove the stakes and made a map of the valley one mile above and one mile below the fort and started for Yankton, following the river as near as we could, and the troops passed us on the high prairie, but I found where they had camped and communicated with them that night and directed them where to find the location.

I desire here to describe in as few words as possible the difficulties and dangers of this trip.

Owing to the fact that General Sully was pushing his preparations for the summer campaign he informed me that he could not furnish transportation but would send teams to go with me, and that I get along with as few men as possible. I therefore selected eleven men which with myself made twelve and asked

for one two-horse wagon. The time occupied was twelve days. During this time I stood my guard regularly three hours every other night, same as the rest of the men composing the party. Now we all know that at this time of year we might expect to meet hostile parties from the Santee camp in Minnesota, who invariably infested this region every spring and fall. We saw unmistakable signs of their presence almost every day. After our arrival I was busy in preparing my report to the general and drawing plans for the building to be erected at both of these places for quarters for the troops, for store houses and for stables. In a few days the general commanding arrived with the troops for the expedition and I joined at Yankton and all proceeded on the way. Nothing of importance occurred until we reached Fort Sully, about 290 miles above Sioux City, when all went into camp. Each commander choosing a camping place for his own troops near the Missouri River, giving the horses a good chance for good pasturage. The camp was about three miles long. All the blacksmiths were put to work shoeing horses for many of them had become quite lame by being used without shoes. For four days every man was busy. All surplus baggage was stored at Fort Sully. Thus far we had been favored with good grass and good water and the cavalry horses had improved in flesh. I chose for my camping place the ground now occupied by the city of Pierre, the present capital of South Dakota. The expedition so far comprises the following troops:

FIRST—In point of numbers there were eleven companies of the sixth Iowa Cavalry under Col. S. M. Pollock. (63)

63. Samuel M. Pollock, attorney and consular at law, Dubuque, is a native of Ohio, and was born in 1829; he received a good academic education; he commenced reading law, and having pursued his studies for several years was admitted to practice in the courts of that state; about the year 1855 he came to Iowa and located at Dubuque and engaged in the practice of his profession; being a close student and applying himself closely, he soon gained distinction in his profession, and in the spring of 1859, was elected judge of the City Court, which had concurrent jurisdiction in civil cases with the District Court; he afterwards resigned his position and resumed the practice of his profession. After the breaking out of the rebellion, in 1862, he enlisted in the 6th I. V. C. and was commissioned lieutenant colonel of the regiment; the regiment was sent to the frontier to fight the Indians, and Colonel Pollock participated in several severe conflicts with the savages; Colonel Wilson having resigned his commission, Lieutenant Colonel Pollock was appointed colonel of the regiment and continued in command until 1865, when the regiment was mustered out of service. After the close of the war, Colonel Pollock returned to Dubuque and

SECOND—Brackett's Minnesota battalion, four companies; three companies of which had served in the south under General Grant as a part of the Fifth Iowa Cavalry and had been in lots of battles and were now re-enlisted veterans.

THIRD—Two companies Dakota Cavalry in command of Captain Nelson Miner of Co. A.

FOURTH—One company commonly called Nebraska scouts enlisted for six months in northeastern Nebraska and made up mostly of white men with a few Winnebago Indians.

The above constituted the first brigade under Brigadier General Alfred Sully, who was then a major in the regular army and had large experience on the frontier in California in the early days and in Minnesota, and was colonel of the first infantry regiment of that state, and had commanded a brigade in the army at the Potomac. For the first day's march from Fort Sully the orders to each separate command was go-as-you-please to Okobojo Creek. The general led the way with one company of the Sixth Iowa Cavalry Co. M under Capt. A. Williams) and the Nebraska scouts and about twenty Sioux Indians also enlisted for the campaign. A pretty good camping place was found at Okobojo Creek.

It must be borne in mind that we were traveling on the high prairies without roads, crossing the few small Creeks that flow into the Missouri River, for there were nothing but small creeks flowing into the Missouri on the east between the James river and the Milk river hundreds of miles away. It is very different on the west side, where are found in the same distance the Nebraska, the White Earth, Bad river, Cheyenne, Moreau, Grand river, Cannon Ball, Heart river, Big Knife, Little Missouri and the Yellowstone.

The second camp we made on Artichoke creek. The general

again resumed the practice of his profession, taking into partnership James H. Shields, and the firm of Pollock and Shields have built up a large and lucrative law business; they continued together until 1879, when they dissolved. In 1872, Colonel Pollock was united in marriage to Miss Hughlet, of Galena, Ill., and they have two children.

From History of Dubuque County, 1880.

commanding had with him a Captain Fielder or Fieldner (64) acting as topographical engineer and naturalist. I had become acquainted with him slightly. He was then the ranking captain in the U. S. army and stood first for promotion to a major's position. He was thoroughly educated in all branches of the service, a splendid man just in the prime of life, I should say a little over forty years of age. He had so far been actively engaged in his duties, collecting specimens of insects. He would take two soldiers and ride around over the country near our line of travel, but at this our second camp I heard General Sully warn him that he must not travel with out better protection, that he could have as many men as he wanted, but he remarked that he thought there was no danger yet. We came near the Little Cheyenne river, our next camping place. We found that he had arrived there with a ser-eant and one soldier of the 6th Iowa cavalry. The three had unsaddled and picketed their horses and the captain started with his tin cup to the creek for water where he was shot through the lungs from the front by three Indians concealed in the brush along the bank of the creek. The horses were frightened and pulled their pins and ran in the direction of the command which had just commenced descending the long hill from the high prairie to the valley of the creek.

Capt. A. Miner, Co. A Dakota cavalry, was officer of the guard and at the time riding with the advance guard, one company, and aided in pursuit with his company. The Indians had run for the high prairie to the north and east, and our course was at the time about north, and we were in sight I should say about two miles away when the company got statred.

Capt. B. Matthews with Company B 7th Iowa cavalry was also sent in pursuit and took a northwest course into the hills as it was thought that there were possibly more than three Indians that Capt. Miner was pursuing. But no others were found. It was a fine race in plain sight from the command then descending

64. Captain John Fielner, a native of Germany entered the regular army as a private, but for meritorious service was promoted through the various grades and became a captain in the 3rd cavalry July 17, 1862, for further accounts of the incidents surrounding his death see English's history of the Dakota Cavalry, Monthly South Dakotan, June, 1900, also 2nd South Dakota Collections, 330.

the slope of the hill. We soon lost sight of the Indians, but the cavalry were in sight for at least four miles running as if each one was determined to be the first to strike a blow in revenge for the loss of the brave captain that was there in the agonizing pains of death and begging the doctors to give him something to kill him at once. The troops must have pursued the Indians twelve miles, then they drew themselves into a buffalo wallow and the fight began. I am told by those who were in it that two or three hundred shots were fired when a rush was made by all and two were found dead and the other was nearly dead. The Dakota boys returned in triumph with the spoils, guns and some bows and arrows, but the general sent a party of them back under Lieut. Bacon, of the same company, who was then our brigadier quartermaster, to bring in the heads of the Indians. Sergeant Estes cut the heads off and they returned about the time the captain died. It was curious to note the effect of this melancholy incident on the men of the command. On every face appeared a sort of grim earnestness and every man seemed to have tightened up his belt. (65)

The next camp was at Swan Lake Creek, where we expected to find a steam boat with supplies for the brigade and we also expected to meet the second brigade which was to come across

65. This matter was referred to Hon. Samuel J. Brown, of Brown's Valley, Minnesota, who, under date of May 26, 1906, writes: "At the time of the Sioux outbreak in Minnesota, in August, 1863, I was living with my parents seven miles below Yellow Medicine agency, and although in those early days everybody knew every body else, I never knew or heard of anyone in that neighborhood named English. Assuming, however, that the little girl referred to is Melvina Ingalls, and there can be no doubt about this, I will state when the outbreak occurred the Ingalls family consisted of Mr. J. H. Ingalls, a well to do Scotchman—a widower—and his four children, Jennie 18, Amanda 16, Melvina 14, and George aged 12, were living on the same side of the river and about a mile above our home. All of these children were taken into captivity by the Lower Sioux, on the next day after the outbreak, and subsequently released, the particulars being as follows: A little before daybreak on the morning of the 19th when old Porter Rouillard escaped from the murderous attack upon the stores at Yellow Medicine and fled down along the river towards my home he passed the Ingalls' place shouting: 'Indians, Indians killing everybody at Yellow Medicine.' Mr. Ingalls hear the voice as he lay in bed partly awake and quickly aroused the children and sent Jennie and Amanda down to Brown's to find out what the trouble was, telling them to hurry back. When the girls reached our place they found everything in utter confusion and everybody excited. The neighbors had gathered there and were getting into wagons and going off and the girls jumping into one of the wagons went along. They were a few hours afterwards taken into captivity along with our family and carried off to Little Crow's camp, and remained with the Indians until the general delivery at Camp Release. While Jennie and Amanda were being carried off by Cut Nose and his miserable crew the rest of the Indians went on up the Minnesota valley

the country from Minnesota. In the evening General Sully sent me out onto a high ridge near by with a small party where we fired seven or eight two-inch signal rockets for the purpose of finding the second brigade as had been agreed upon before starting, but no response was obtained. We found them the next day, however. Two days were spent here in replenishing our supplies and in completing our organization.

We had about 3,500 which to us men who had never seen any real service seemed a very considerable army. There were but three companies in the whole division that could claim to have been in a battle. Companies A, B and C of Brackett's Minnesota battalion had been in a good many hard fought battles down in Tennessee, and to them we respectfully took off our hats. Somewhere on the Coteau de Missouri, between Swan Lake Creek and Fort Rice, we had had a sort of a Fourth of July celebration after getting into camp, and Colonel S. M. Pollock made a speech.

We arrived at a point opposite Fort Rice on the fifth of July and found eight companies of the 30th Wisconsin under Colonel Dill had begun the construction of the post for four companies of cavalry. General Sully had been ordered to build this post and three others of the same kind, one at a point nearly opposite Painted Wood Creek, one at a point where the old trading post

killing and plundering as they went until they reached the Ingalls' place. After killing Mr. Ingalls they took Melvina and George prisoners and also carried them to Little Crow's. Jennie, Amanda and George were delivered at Camp Release, but Melvina was carried off across the prairies by the Lower Sioux who fled immediately after the battle of Wood Lake. I heard nothing of Melvina after that until when I was at Crow Creek in 1863 news came that she had been delivered to her friends in Minnesota. In looking over some old papers I find that my father was administrator of the estate of J. H. Ingalls, and that as such administrator he recovered in 1864 some money due the estate from the government and that he paid it over to Jennie, Amanda, Melvina and George, and that Melvina was alive on December 30, 1866. I have heard nothing of them for nearly forty years.

Private Frank Meyers, in his book, "Soldiering in Dakota," at page 6, says: Continued up the west side of the river to Fort Pierre, arriving there about June 5th, (1863). While in camp there an Indian by the name of Crazy Dog, who afterwards became our guide, came into camp one day with a white girl in his possession whom he had stolen from the hostile Indians some three or four hundred miles further up the river. After a perilous journey, traveling by night and resting in the daytime he succeeded in eluding the bands of Indians constantly roaming over the country. The girl's name was Luvina Ingles and she had been captured by the Indians during the summer of 1862 at the massacre of New Ulm, Minnesota. All of the rest of her family being murdered." The account given by Samuel J. Brown is absolutely trustworthy. Mr. Meyers is slightly mistaken in the name, and he throws doubt about Black Tomahawk being in anywise concerned in the rescue.

called Fort Williams had been, the other on the Yellowstone river, near a place called Brazeau's house, that had been builded by the fur company long before, as I learned from old traders, probably in the days when General Ashley was the head of the fur company. General Sully had left us at Swan Lake Creek and gone up the river by steamer.

From this time on to the 18th of July we were busy in crossing the river by a very good ferry seized and put in operation by the 30th Wisconsin boys, who were noted for ingenuity as good axemen as well as good pie makers. They had lots of pies ready to sell to us after we got across the river. Log buildings—generally 80 feet long—were erected 24 feet apart around a square that measured 400 feet on each side. The 24 feet between buildings was filled in with stockade with a gate near the center of the east, west and north side large enough to drive a team through. Everything having been attended that promised to warrant success for the expedition the northwestern Indian expedition started on its long and tedious journey to Yellowstone River on the 19th of July, 1864, and camped on Minna-pata Creek (Fire Creek or Fire Water). The 20th camped on the Cannon Ball river. Following up we camped twice more on that river. On the 25th we turned north to Heart river, where we camped two nights and undertook to make up a pack train with team mules, but failed for one cinch was missing from the pack saddles. We then loaded, 1,500 pounds into each wagon and started at noon on the 25th, leaving four companies in command, Captain Wm. Tripp, of Company B Dakota cavalry, to guard the surplus supplies and camp of 150 wagons of emigrants—men, women and children, on their way to Idaho that came across from Minnesota with the brigade. (66) After pushing on for about ten miles we saw the captain of the Nebraska scouts coming from the front as fast as his horse could run. He rode up to the general and reported that his company had been attacked by a large force of Indians and had all been cut to pieces. The general saw at once that the man was intoxicated and put him under arrest and sent him to march in rear of the ambulances. Pushing rapidly on for about five miles we found the scouts all in good healthy condition

waiting for us. It seems the general had secretly sent the company out at midnight with one trusted sergeant (67) of Company A Dakota cavalry with a good field glass to watch from some hill top to see if he could discern any Indians moving around to the north of us on the course we were moving. He did discover about 30 Indians but they were nearly between him and the company so he had to lie still and let the Indians pass around the base of the hill until they came in sight of the company and were attacked by it when they took to the hills and got out of sight as soon as possible, when the sergeant rejoined the company. When night came on we simply halted and camped right there as each brigade was marching in two columns about 100 feet apart with the wagons between the two columns. It was a very good formation for protecting our wagons. We were not allowed to build any fires at that camp for fear the Indians would discover us. On the 27th we pushed on before the sun came up and camped that night on Big Knife River. Starting again on the 28th before the sun was up we made about ten miles and took lunch and grass about 9 a. m. when we resumed our course for an hour or more. The scouts who had been out since daylight met us and reported large numbers camped along the foot of mountain range called by the Indians "Toc-sha-o-wa-coo-ta." (I use the letters according to their sound in writing English). The meaning as interpreted in English is "The place where they kill the deer." Here we halted for a short time and the second brigade which was for that time marching in rear of the first brigade was moved up on the left of the first brigade and a part of each brigade was dismounted and formed in line of battle as follows: Six companies of the 6th Iowa cavalry mounted formed the right, the balance of the regiment riding in columns of twos on the right of the wagon train and led horses. Col. Thomas' brigade was on the left, formed the same as the 6th cavalry was on the right of the line. The balance of the second brigade, with command of 7th Iowa cavalry dismounted, formed the center and formed in sort of skirmish line three paces apart. The wagon train and led horses were in rear of my command. Our line was one and one-fourth mile long. When we came in sight of the Indians it was seen that their camp extended

about four miles along the foot of the mountain range that extended a long distance along the south side of the Little Missouri river. The ground over which we had to march was rolling prairie with little grass. It was alkali ground; the day was very hot and the boys sweat as they toiled steadily on over the dusty plain and suffered much for want of water. Once we passed a dry bed of a creek or a series of water holes, but it was almost impossible to drink it as it was so strong of alkali. Just as we came to these water holes we met the Indians scattered all over the prairie on foot and on horseback. They seemed to be in no hurry to meet us, but held back. This was the most formidable array the Dakota Indians had ever seen and they took a good look at us. About this time an Indian very gayly dressed, carrying a large war club gorgeously ornamented appeared in front of the 6th Iowa cavalry and called loudly to us and gesticulated wildly about one-half a mile away. When discovered Major Wood, chief of cavalry, approached my position and said, "The general sends his compliments and wishes you to kill that Indian for God's sake." I dismounted and called out two men from Company K and one from Company L, 7th Iowa cavalry, who I knew were marksmen and the only men who carried Springfield rifle muskets and directed them to take the best aim possible and fire while I watched closely to see if the ball struck the ground between us and the hill on which the Indian stood, but the balls all passed over the hill. The Indian stood with his left side toward us and immediately stretched himself out flat along the horse's back and plied his left heel vigorously against the flank of his pony and disappeared from my sight over the hill. But the general was some distance to my right and upon much higher ground and afterwards told me that the Indian fell from his horse when nearly down the hill and was put on his horse by other Indians who were on foot and held there till they reached the mountains, then about four miles away.

These were the first guns fired. From this on there was a sort of go-as-you-please firing all along the line. Shortly after this, Captain Nathaniel Pope (nephew of Major General John Pope), was ordered to place one of his four Howitzers in the space be-

tween my right and the 6th Iowa cavalry which he did and fired one shell which I think was certainly the first time these northern or Missouri River Sioux ever saw anything of the kind for they fired up into the air to kill whatever it was that they had heard coming through the air, as they told me afterwards.

"A," Minnesota, was on our right and now began firing, bursting their shells about 80 feet above the ground. The Indians now began to fall back. All the lodges that we had seen standing along the base of the mountain had by this time been taken down and carried into the brush, together with the poles, camp kettles, packs of dried buffalo meat, etc.

Captain Pope passed out on my left with the four Howitzers in front of the second brigade and disappeared behind a high hill, but was soon called back by the general and informed that a battery was not a good thing to scout with. About this time Major Brackett's four companies, which had been held in reserve, and perhaps the Dakota cavalry, were sent, the first in advance, the second to the rear of Captain Jones' battery. About 500 Indians that had been out looking for us now came in on our trail and clustered up together in our rear, when a shell exploded in their midst, killing six Indians and five horses and frightening the balance terribly. The trouble was that the infantry could not get near enough to do much execution but Brackett's troop was now pushing them hard close up to the base of the mountain where he made a furious charge and piled up 27 Indians in one pile, 10 of them killed with a sabre. Here the Indians all disappeared in the brush and timber in the mountains. Major Brackett sighted another camp of about 100 lodges behind a spur of mountains, but the Indians ran, leaving the lodges standing. It now being nearly sun-down we fell back about a mile and lay down to rest; having no tents camp was soon established. My mess was made up of four officers and two servants. Two of us carried each one-half of a ham in our mess bags and the balance carried the sugar, coffee and hard tack. Supper was soon over and each reposing on the ground using his saddle for a pillow.

July 29th we were up long before sunrise and preparing

breakfast and soon as that was disposed of we moved west along the foot of the mountain to find a pass through which we could travel to find the Indians, but could find none. After traveling seven miles we returned to the battle ground and 1,000 men were detailed under Lieut. Col. McCackron to destroy the Indian property and he reported and asked for more men, and 800 were sent. It took about three hours, in which time 1,600 lodges, made of tanned buffalo and elk skins, were destroyed. Then we started back for our camp on Heart river, and camped six miles out on our trail. Just before retreat was sounded two of the guards were killed. Every man was soon in his saddle, for we had not taken the saddles off, but it appears that a party of six Indians had done the work and ran off. During the night a sergeant of the 6th Iowa cavalry, in charge of one of the picket posts, was killed by his own guards by a foolish blunder, shooting without challenging.

This completes the battle at the place where they kill deer.

On July 31st we reached Heart creek and found everything safe. The last day the rain poured down and everybody was wet and cross. We had marched 160 miles and fought nine hours in five days.

August 1st was a beautiful day and we were thoroughly dry by 10 a. m. and all arms cleaned and equipments put in order.

August 2nd reloaded.

August 3rd we started west up Heart River, saw 20 or 30 Indians ahead of us but did not overtake them. Camped two nights on this river and reached the top of the great divide that follows close along the east side of the Little Missouri river. The country that here opens to view baffles my descriptive powers and I will leave it to General Sully's official report. He describes well but does not exaggerate. We camped the night of the 5th on the top of the divide, finding water near by though about 300 feet below in a deep gorge.

August 6th the first mile and a half travel was down a gentler slope of water washed barren earth. Here we found the dry bed of a creek and considerable digging was necessary to make a road wide enough for one wagon. There we saw the veritable

Bad Lands of western Dakota. About twelve miles brought us to a small creek of good water just at the edge of the bottom lands along the Little Missouri river, where we camped with good grass on the bottom lands. After dinner the general sent an orderly for me and informed me that he wanted me to go forward the next day and examine the country, find a camping place, also find where we could cross and find our way out of the Yellowstone valley to the open country towards the Yellowstone river. He would give me seven companies together with 150 men with picks, shovels and revolvers.

On the morning of the 7th of August I reported at his tent at 4 a. m. as he had instructed, with the detail from the 6th Iowa cavalry, two companies, and three companies from my regiment, the 7th Iowa cavalry, in readiness near by, but had to wait some time for the detail from the second brigade. By his consent I moved on about a mile, the better to grass the horses. I crossed the river and stopped in a beautiful glade almost surrounded with brush and timber. This was not exactly the safest place to stop, but the grass was so good that I took the risk and awaited the arrival of the balance of the detail for our move when Captain Butterfield reported with what he called two companies (his own company, consisting of 39 men, and another counting just 19 men and officers). Instructed him to graze his horses here until I could examine the route further on and I would send an orderly back for him, but on no condition was he to allow his men to let go the horses' ropes for a moment. As soon as I moved on his men were allowed to picket their horses and go off picking choke cherries. A grizzly or cinnamon bear ran out of the woods and stampeded the horses of two companies and he did not rejoin me until after 11 o'clock. I selected a new camp on the east side of the river where I expected to make the final crossing and sent a man back to conduct the general to the camp, and pushed across the river and found the dry bed of a creek would answer for a road for about three-fourths of a mile when I left for the prairie. In the south bank of this creek there was seven feet of coal in sight for one-fourth of a mile. This place is not far from the crossing made afterwards by the

Northern Pacific railroad. From this point on it required considerable labor to make a passable road for about a mile, then we had but little to do. Having now reached the high prairie I determined to return to the river. The river is very shallow and varies in width from 80 to 100 feet. I had strung out the men on either side of the line so as to protect the route and insure our chances to return, and called in these men as I came to them. But for some reason one entire company failed to follow in until I had dismissed the several details to their various commands and the two companies of my own regiment had taken off their saddles. Then we saddled up and started out in a hurry to see what was the cause of the delay. By the time we reached the river about a half mile away we were on the run. Then we saw the company, Captain Cooper's Company K, 7th Iowa cavalry, coming out of the hills, while thousands of Indians, as if by magic, appeared all over the hills on the west side of the river. They were on the run but they swung into line and fired a volley and two Indian horses ran off without riders. Within five minutes five or six howitzers were throwing shells across the river and the Indians were falling back. When they had put themselves at a safe distance they began calling to us and telling us that they had got us just where they wanted us; that since the fight of the 28th of July 500 more lodges had joined them and we had better get a little sleep that night for tomorrow we would all have to die. Answering back we told them that they did not know how to fight and that tomorrow some of them might have to die. I believe that at least 3,000 shots were fired that night. The guards were increased. At 9 or 10 o'clock that night hundreds of wolves had gathered around us and pandemonium seemed to have broken loose—wolves howling and guns being fired in every direction.

We started very early the morning of August 8th, the second brigade in the lead, following the advance guard, four companies, then the general with the second brigade, all strung out in columns of twos up the dry bed of that little creek, then the wagons strung out one at a time. It was tedious. The left column of the first brigade under my direction was one-half dis-

mounted. The dismounted men crawled along the side hill near the top to protect the south side of those 250 wagons. The right column of the first brigade doing the same on the north. The ground was very rough on both sides of the road. When all the wagons had got out of the creek they were closed up in the rear of the second brigade which had halted on a few acres of open ground between two high hills. Two Howitzers were unlimbered and pulled by hand up one of these hills and shells were fired in every direction to drive the Indians out of the ravines.

My report of road-making the day before was accompanied by a map showing the location of all ravines and all places on both sides of the road where water could be obtained. About noon we started on and when we arrived where the country was more open the wagons got into four lines instead of two and we got along much better. After reaching the point where I had quit road-making the day before the head of the column turned from the west to a northwest course. The Indians nearly all disappeared from sight from 1 till 4 o'clock, but as soon as we were well out on the southwest course they attacked us from the rear about 1,000 strong. Just at this point, or a little before, heavy firing was going on in advance and nearly all of the 6th Iowa cavalry which was protecting the right of the wagons, moved on and the right of them was left wholly without protection, and I put my dismounted men across the rear of the wagon train, hiding them from sight. Then a man from Company H, 6th Iowa cavalry, one of the two companies acting as guard, was shot in the rear with an arrow, which though not dangerous was very painful, and he made a great noise. His company returned to pick him up and Company A, Dakota cavalry, made one of its characteristic dashes for the enemy and two of the Indian horses ran off with out riders. The two companies of the rear guard then returned to their places. The Indians came on again till within about twenty rods of my concealed line when we all shot at them and two more horses went off without riders. We then hurried on over the ridge and found the command going into camp by a small lake. For about two

hours there was some skirmishing all around on every side. Here we found a great many springs, although it was on the high prairie. The Indians appeared in great numbers all around us but kept at rifle distance. Our men were very industrious, trying many schemes to get at them but all efforts failed. The Indians remained in sight until dark and were found the same he next morning. We then turned to the northwest, over very rough ground and made very slow progress until 10 o'clock, when we found their abandoned camp just about three miles west of where we quit road-making on the 7th inst. As we passed through the camping ground great numbers of Indians were in sight to the northeast. This we had noticed before we had found their camping place. It was a strategic manoeuvre to draw us away from the camp, but we did not heed it but kept on and soon found their trail leading north. We followed the trail for a few miles and found the Indians had divided. About one-third seemed to have turned to west towards Powder river, while the balance had continued north. Here I went to the general and requested him to allow me to go in pursuit of those that had gone west, but he took me a little to one side and informed me that he would not as the food was almost gone and we must reach the steamboats on the Yellowstone just as soon as possible.

About five or six miles further on we went into camp. Here an amusing incident occurred. The bugler at headquarters was a Russian somewhat advanced in years. He had served in the army before coming to America, was a very sober and useful man, and in the night while he was sleeping under a gun carriage an alarm was given and the old man's spurs became fast in some grain sacks and he became rattled and the call that he sounded is not laid down in the books. It was simply a continuous blast, but it served the same purpose and brought every man to his feet. Five balls were thrown that lighted up the whole country, but nothing serious was discovered and the old bugler retired to his bed chamber.

On the morning of the 11th of August a battalion was sent longest march of the campaign—thirty-six miles with very little water and almost no grass at all. Many horses gave out during

the day and were shot. When the second brigade passed my tent to take its place in advance ready for the next day it was 10 o'clock p. m. Reckoning we were near the Yellowstone river a gun was sent out in advance about a mile and a half and fired several times but got no response from the steamers.

On the morning of the 11th of August a battallion was sent out to reconnoitre and having seen the river returned to camp about 9 o'clock and all started on. When within about four miles I with my glass discovered a flag on a hill about five miles to the left of our course. When we reached the bank the two steamboats, Chippewa Falls and the Aione, dropped their anchors and swung around in the current. In half an hour about 200 men were fishing for yellow cat fish and great numbers were caught and soon dressed and over the fires. Oh! What a feast!

No time was lost, and my command slept on the north side of the river that night, and some other troops were after us. One of the steamers was used to transfer the saddles and other equipments and they rowed them over and I believe one soldier was drowned. This is 50 miles above the mouth of the river by land and General Sully with his staff and troop started for Fort Union where one company of the 30th Wisconsin infantry were stationed. As I followed down the valley the steamboats were going down the river and from 50 to 250 elk would be frightened out of one bend of the river. It took five or six days to get all the troops transferred to the north side of the Missouri river. One man from Company L, 7th Iowa cavalry, was drowned.

Major Van Winder of the Minnesota troops, who had been assigned to duty as topographical engineer, surveyed and marked out the military reservation of Fort Buford, which was afterwards built by the troops of the regular army. Here the steamer Island City was wrecked and became a total loss.

Having refitted we pulled out for Fort Berthold, 140 miles down the river, also on the north side. Nothing worthy of notice occurred on this trip.

Fort Berthold was a post of the American Fur Company. We had one company of the 6th Iowa cavalry in command of

Captain Moorland. After staying here we started again and camped on a small creek. Mustered for pay on August 31st, but did not get any pay. From here we went north and camped on or near a lake, perhaps covering about five acres of very indifferant water. Here we encountered countless numbers of buffalo scattered all over the prairie in bunches of from four to five hundred and had plenty of fresh meat.

The 1st of September we continued north to the Dog House, being located at the southern edge of the Mouse river valley which is here very wide and covered with grass differing very much from any other grass I ever saw in Dakota in that it was very fine and tall with but a very small stalk, in fact is nearly all leaves and I should say would yield over two tons of hay per acre. Here we lay over one day. The grazing was fine and our animals had a tremendous feast and rest.

When we started from here September 4th we traveled south-east and there was a good heavy rain for about two hours. We stopped at a grove of timber containing an acre or two to get wood. Passing in we came to a chain of seven lakes running nearly east and west. We passed on the right of the most easterly lake which I judged was two miles long and from 20 to 40 rods wide with not more than three feet of water in the deepest places. The boys some of them rode all over it. Everything wet and grass good the general announced that we would stay here two nights, which announcement was joyously received for they would have lots of fun hunting buffalo.

September 6th we made about 25 miles and camped at the head of Painted Wood creek where the Black Tomahawk bought the girl prisoner that was given up to me in December, 1862. Her name was Melvina English. (66). She was about twelve years old and said her father was killed at their home a few miles below Yellow Medicine agency, on the Minnesota river. From this place about fourteen miles brought us to Apple river where General Sibley had camped in 1863, and we examined his camp and it was easy to see where the general's tent had stood within an enclosure made of sods piled up about three feet high in the center of camp. We also found the grave of the general's volun-

teer aid who had been killed by the Indians while riding through the woods to execute an order of General Sibley. General Sully had his remains disinterred and boxed up and, as I was informed at the time, they were to be shipped to Cardif, in Wales, where the father, Lord Beavon, lived. We arrived at the Missouri river opposite Fort Rice on the 9th day of September to find everybody excited. During our absence General Fisk of the general staff of the army had arrived from Minnesota. The object of his expedition was a reconaissance for a railroad line to the Pacific coast. He had no military force with him, but a few hired men and an emigrant train from Minnesota. He had an order from the secretary of war to General Sully directing him to furnish a military escort if practicable, and he presented it to Colonel Dill of the 30th Wisconsin who was in command at Fort Rice. When we left that place in July we left about sixty men there that were invalids in charge of Lieutenant Smith of Company A, Dakota cavalry. About fifty of these men were ordered by Colonel Dill to proceed as an escort for Captain Fisk's emigrant train of men, women and children. They followed our trail to the point on the Cannon Ball river where we turned north toward Heart river. From there they kept a westerly course to the eastern border of the Bad Lands lying along the Little Missouri river, where they were corraled by the Indians and lost six men and their ammunition wagon. Nothing further need be said of this unfortunate affair except to say that Lieutenant Smith's force with which he returned to Fort Rice for assistance was 13 men of the 6th and 7th Iowa cavalry and they reached that place without accident in 56 hours, the distance being about 175 miles.

The reader will find the full report of this matter in the official reports of General Sully and Colonel Dill as follows:

While the party for the relief of Captain Fisk's train was absent the principal part of the second brigade started east for Minnesota as will be seen by the following official report:

About this time General Sully called each officer having separate commands to his tent in front of Fort Rice for a consultation about building boats for the transportation of the men

who had been dismounted by the loss of their horses during the summer. I waited for those who outranked me to express their opinions. They all opposed it. Then I assured the general that it was practicable and that I had some experienec in boat building and the general ordered me to begin the work. In two days we cut and hauled the logs to the mill and sawed the lumber and had the first boat in the water, 45 feet long and 10 feet wide in the middle. I made one more 55 feet long and 12 feet wide. Six others were constructed.

When the expedition for the relief of Captain Fisk returned to Fort Rice I was ordered to Sioux City, Iowa, in charge of a fleet of eight boats that carried 411 men and all the equipments and rations. The distance by river is over 1,000 miles and we beat a steam boat four days.

The troops of my command were placed in quarters in rented buildings for a short time, when Captain B. Mahanna's Company L was mustered out of service having completed its term of service—three years. Very few men in this company had veteranized. Company M had about one-half re-inlisted and Captain Wolfe and First Lieutenant B. T. Ryan were mustered out with the men who had not reinlisted. Were mustered out Second Lieutenant Anthony captain and the company was filled up by new recruits and Sergeant Sampson P. Hughes was made first lieutenant and another sergeant was promoted to second lieutenant and the company was fully organized. Captain Francis H. Corkins' Company K was also filled up and was sent to Spirit Lake, Iowa, for the winter.

Early in November took about 15 men of Company M. and 40 of Company K and started up the Floyd river and after marching five or six miles went in to camp. The next morning I left the river and marched northwest to the Big Sioux river near the mouth of the Broken Kettle creek and then followed up the river. My object was to look for Indians from Minnesota that were in the habit of raiding that country fall and spring to steal horses and get a few scalps from hunting parties. Reaching a point just below where the town of Hawarden now stands, where my brother, Frederick Pattee, and William Tennis, had been

killed on the 9th of April in the preceding spring. I made a diligent search for their remains. They had been shot while going down the river in a boat. Mr. Tennis had lost one leg some time in his life and used a wooden leg. This wooden leg had been found a few days before my arrival there by a party of men from Sioux City. When the leg was found Tennis' revolver was strapped to it. I found one of my brother's boots and in it the bones of his foot.

Passing on from here we camped on the river in the bend where the city of Canton now stands. I was compelled to stay here two nights because I was too sick to ride my horse. During the day Lieutenant Wallace Pattee, my brother, scouted the country on the west or Dakota side of the river with about thirty men, but found no Indians. On the second day I was able to ride and we moved due north towards Sioux Falls. When we were one and a half or two miles out I thought I discovered a little twist of smoke arising from behind a small patch of timber on the river. Leaving ten men with the wagons, we, with the batteries, made a headlong dash for about one-half mile across the river and through the timber into a little camp of Yankton Indians with Louis Mallett, a Frenchman with whom I was acquainted. They were fearfully frightened at the impetuosity of our charge. There was another small camp near by of Minnesota Indians with whom was one of the Santees that helped to kill my brother, but this I did not find out for some time. We scouted the country all around, but could not find them. They had sighted us and lost no time, but started for Minnesota, as I learned afterwards. We reached Sioux Falls that day and the next day I sent the 40 men of Company K with one team of six mules on their way to Spirit Lake, where they arrived in good time and went into quarters for the winter. With the balance of forces I went up the river to Dell Rapids, then east to the great Red Pipestone quarry, where as Longfellow informs us, that in accordance with the Indian legend, "Getchie Manitou the mighty, came down and sat upon the mountain and smoked the peace pipe as a signal to the natives." Talk about poetical license! I think in this case it has been stretched to its utmost

limit, as said mountains are only about 20 feet high. But as I am not a poet I am not a competent judge.

Perhaps people who have had no experience in such matters may think an officer in command of a military squad during the winter has an easy time, but I have never found it so. Men in camp or garrison with nothing to do but take care of their horses and equipments soon become restive and tired, and give more trouble to the commander than when in the field or on an active campaign.

Very little occurred during the winter that would interest the general reader until near spring, when General Sully, who had his headquarters at Clinton, Iowa, began organizing troops among the rebel prisoners in the prison camps that had been established by the government at Rock Island and Chicago for the service against the Indians on our western frontier. Many of the prisoners were anxious to enlist or do anything to escape the monotony of prison life and made excellent soldiers as had been proved by the experience with the 1st U. S. volunteers that had been stationed at Fort Rice during the winter. The first was organized by Major General Butler at Norfolk and Point Lookout in Virginia. I am not able to say just how many were enlisted at Chicago and Rock Island, but the 2d, 3d and 4th regiments were organized and the 2d and 3d were sent out into Nebraska and stationed along the Platte river. One battalion of the 4th regiment (four companies) under Lieutenant Colonel Thornton was sent to Fort Randall in 1865 and remained there during the winter of 1865-6. The officers for these regiments were selected from other organizations already in the service and about 20 enlisted men were selected from the 6th and 7th Iowa Volunteer cavalry for line officers in the regiment. Those of the 7th had been in the service for three years; those of the 6th for a year and a half and made excellent officers.

Preparations for another campaign against the Dakota Indians were commenced early and pushed vigorously. The general commanding decided to change the plan from the one pursued last year. He selected a portion of the 6th Iowa cavalry, three companies of the 7th Iowa cavalry and Brackett's battalion

of Minnesota cavalry, selecting the best men and leaving all invalids behind. With eleven men of Company K, 7th Iowa cavalry, I left Sioux City, Iowa, at 8 a. m. May 29, 1865, and proceeded to Sioux Falls for the purpose of locating a fort there and another on James river west of Sioux Falls for the better protection of northwestern Iowa and southeastern Dakota. A full report was made by me at Yankton, June 15, 1865, as follows:

Yankton, Dakota Ter.

Capt. McNorton,

Asst. Adjt. N. W. Ind. Ex.

Sioux City, Iowa.

Sir:—I have the honor to report that in compliance with General Order No. —, the 2nd N. W. Indian Expedition, date May 22, 1865. I left Sioux City, Iowa, at 8 o'clock a. m. on Monday, May 29th, 1865, with a small escort of Eleven men of Co. "K" 7th Iowa Cav. and crossing the Sioux River at the Government Ferry, overtook the wagon train with supplies for Sioux Falls under charge of Lieut. DeHaven and a detachment of Co. "E" 6th Iowa Cav. at the Brule Creek crossing, and camped just above on that creek having made 24 miles. On the 30th of May I started at 5 o'clock and kept as straight a course as possible North about twenty miles and camped again on the Brule Creek, May 31st, continued North to a small creek that runs into the Sioux about the same distance as yesterday. June 1st my course was North about fifteen miles and then North West about 10 miles to Sioux Falls. There I found Mr. H. H. Brookins and four men of Co. "I" 6th Iowa Cav. After examining both sides of the river I located the Post on the South West Quarter of Section 16, Township (101) one hundred and one, North of Range (49) forty-nine,, West of the principal Meridian and on the 2nd day of June examined the country up and down the river in the vicinity and decided that it would be cheaper to build the fort of stone on account of the necessity of hauling the logs so far, there could not be logs enough found inside five miles to build with. The stone is in great abundance and

of excellent kind, and easy to get out, and easy to lay up in wall. The settlement at Sioux Falls was a fine settlement containing 60 male adults and containing many good stone buildings, the balance were log buildings. These were all destroyed by Indians after they were abandoned in 1862 at the time of the great massacre in Minnesota. The country is a very fine one and possesses superior agricultural advantages and I venture to assert that as a grazing country it is not surpassed in the world. Its superiority in this respect, like many other good parts of Dakota is owing to the fact that the grass on the high prairie dries up in the summer before the frost comes on in the Fall and there being but little rain during the fall and but little snow in the winter the grass thus dried and cured remains as much good hay without the trouble of cutting and stacking, and stock will generally get through the winter in fair condition without any other care or trouble. June 3rd, 1865 left Fort Brookings at 6 o'clock A. M. with the addition to my party of 4 men of Co. "I" 6th Iowa Cav. bearing South West to the crossing of the Big Sioux 3 miles and 171 feet where there is a good ford. I then followed the trail to Yankton 2 miles and 2572 feet when I turned a little to the right and followed the township line between 100 to 101 being an extension of the North line of the state of Iowa, passing over rolling prairie 14 miles and 889 feet further where I found a small pond of water and watered our animals, then marched 3 miles and 3818 feet and camped at two small ponds on a branch of Vermillion River. Total distance to day 23 miles 2170 feet. June 4th, 1865 started at 5 o'clock and made the main branch of Vermillion River which is a nice little creek with running water 6 feet wide and four inches deep. In regard to building a station at this point I would say that it has good water and good grass but not a tree within twelve miles and to build a station it will be necessary to draw all the material from the Sioux for buildings. Wood may be obtained about 12 miles West by 20 degrees South. The point where I would put the post is where my trail crosses the main branch of the Vermillion and is 26 miles from Fort Brookings. I regard it as useless to go further down the river to

look for a site where timber can be obtained as no such places can be found without throwing the Fort so far out of the range of the other two as to render it impossible to connect it with them by patrolling parties in a day's ride or drive and almost destroy its usefulness as a protection to the settlements to the south of the Missouri river; continuing west 9 miles and 1091 feet water is found sufficient to water all animals that will likely be sent from one post to the other. 1123 feet further is a very fine pond of water four or five feet deep and 30 or 40 rods long by 2 rods wide. 24 miles and 1059 feet brought us to James River a few minutes before 8 o'clock P. M. having traveled 33 miles and 4565 feet that day. June 5th the James River being high we could not cross but followed up on the East side of the River 23 miles and 4924 feet crossing several small creeks. June 6th crossed the River by carrying our equipment etc. on our heads, the water being 4 feet deep, the banks are very muddy and it was difficult to get the horses out of the river. Having seen nothing of Lieut. McCall who was to meet me at or near this point I sent a party of 5 West about eight miles to ascertain if the troops and train had passed up, while this party was out I went with four men up the River five or six miles to where I could see the Bluffs as I supposed about the mouth of Fire Steel Creek but there being no timber except small bushes of 3 to 4 inches in diameter I concluded to look along the West bank of the River below for a place for the post and upon finding that no troops had gone above me, I started at 11 o'clock a. m. down the river and made 13 miles and 3605 feet finding but very little timber. June 7th, started at a quarter to 6 o'clock and marched four miles and located Fort DeRoche fifty three miles West and two and one half North of Fort Brookings and twenty-one miles West of Yankton, D. T. The site is a good one situated on the table land about 4 feet above high water mark and about one-half mile West of the James River. There is sufficient stone within 400 feet to build the Fort, and that of the best kind. Water may be obtained by digging about 15 feet. This Fort I laid out for (1) one Co. of Cavalry. Since arriving here I have made complete

plans and specifications and will send them up tomorrow. After locating the Fort I marched 6 miles and reached a point opposite where I had reached the river when coming West from Fort Brookings. Marched 15 miles further and camped on the River. June 8th marched 5 miles and 1820 feet and passed a fine creek. Six miles further another creek, made 7 miles and 1342 feet further, camped having found the trail of the wagons. Here two men of Co. "I" 6th Iowa Cav. came into camp from Yankton. June 9th sent word to Lieut. McCall by the two men where to find the site for Fort and left camp at 8 o'clock a. m. and reached Yankton at noon making twenty two miles. Distance traveled from Sioux City to Sioux Falls (Fort Brookings) estimated 90 miles. From Sioux Falls to Fort DeRoche measured 98 miles and 3412 feet from Fort DeRoche to Yankton 55 miles and 2222 feet. Total distance traveled (259) two hundred fifty nine miles.

In going from Fort Brookings to Fort DeRoche the total distance is sixty-two miles by crossing the James River at Fort DeRoche. With this report I send plat of country around Fort.

I am Capt.

Very Respectfully,

Your Obedient Servant.

JOHN PATTEE,

Lieut. Col. 7th, Iowa Cav.

Yankton, Dacotah, Ter.

June 10th, 1865.

Lieut. McCall,

Sir:—I have the honor to transmit herewith the plan of Fort DeRoche the site for which I expect you will find today or tomorrow. In my examination of the country I found it impracticable build it of wood but I was fortunate in finding what I feel sure you will think a very fine quality of stone that is far better. I am glad that you are a stone mason, for when a man is appointed to perform a duty he is fortunate if he possesses a practical knowledge of the work assigned. He is then able to do himself credit and be a benefit to the government.

The plan is drawn on a scale of 12 feet to the inch and I

have so marked the plan as I think will enable you to understand it. You will observe all over the prairie especially along the edge of the Bluffs and on the high points of land a large number of white Boulders that will make the best of lime. You will also have but little trouble in finding timber for roofing. The Block house is to be made of stone, 8 feet high and then one story of hewed logs reversed as shown by the plan. The stable roof will be supported by props set at intervals of 8 feet which I deemed about the right distance for double stalls making the managers in the center of the stable. The corner of the stable marked Bastian is arranged so that if small loop holes are made for small arms, the East and South side may be separated from the Bastain or Block House. The General says he will send a Howitzer this fall. In staking off the ground I had nothing to measure with and you will by measurement perhaps find that the stakes are not placed right. As to doors to stable I thought best to leave to your judgment. I would suggest that you dig a large well a short distance from where the South end of the stable will be, and stone it up. The River is very unsafe to put a horse into the water. You can put the doors and windows in the commissary as suits you best. You will also use your judgment about putting windows in the back of mess rooms and cook room. If you build Laundress' quarters put them outside of the Fort.

JOHN PATTEE,
Lt. Col. 7th Iowa Cav.

The troops for the campaign of 1865 having all assembled we left Fort Sully July 7th and moved toward Fort Rice. General Sully's intentions were to cross the Missouri river at Fort Rice and move west up the Cannon Ball river the same as we did last summer and swing around to the southwest to Rainy Buttes, where he had been informed a large number of Indians were hunting. They were about the same that we had met the summer before. It was also his intention to go south by the way of the Black Hills. But a letter was received from Major Gen. Curtis, who was then in command of the department of the Northwest at Milwaukee, "to proceed at once to Devil's Lake,

where he was reliably informed there were 3,000 lodges of hostile Indians preparing to invade Minnesota." Now it will be remembered that Minnesota had suffered terribly in the massacre of 1862, and naturally any dangers that threatened a repetition of any such calamity would receive prompt attention. As I had been on General Sully's staff as inspector for seven months we had become quite well acquainted and had been in the same office together for four months at one time in the early part of 1864. He showed me this letter from General Curtis. We both knew that the "reliable information" that General Curtis had received was wholly without foundation in fact, but the order was preremptory. "You will not cross the river into Nebraska, but proceed at once to Devil's Lake." General Curtis had evidently consulted an old map that showed Nebraska extended from Kansas to the head of the Missouri river. But General Sully took the responsibility to send by special messenger that had been prepared along the route to Sioux City to Capt. S. Bogg, A. Q. M., to forward to Council Bluffs, Iowa, a telegram to Major General John Pope, division commander at St. Louis, Mo. The answer he received was as follows: "Obey the orders you have received implicitly." There was no time to look into the matter and the summer's work had to be wasted, or nearly so. The following will show clearly the facts in the case:

While in camp shoeing horses, three miles above old Fort Sully and where Pierre, the Capital of South Dakota, now stands, I determined to write a series of articles for the Chicago Tribune and were entitled "Seven Nations. No. 1, 2, 3 and 4. The first of these letters was written June 27, 1865 as will be seen below.

Camp No. 14 North West Indian Exp.

Near Fort Sully, D. T., June 27, 1865.

Editor Chicago Tribune,

I propose to write a series of articles for your paper in regard to the Territory of Dakota. The Dakota, or Sioux Nation, their management or mismanagement by the agents of the Government both military and civil, the fur trade and fur traders, military operators etc.

I do this, not because I am at all qualified as a correspondent, but simply because many things have been done out in this country that are of importance to the people of the United States and large sums of money are now being spent by the Government for the purpose of making peace with the Indians and opening roads to the Gold regions of the Rocky Mountains, and further because no other person in this country seems to take interest enough in what is transpiring to give it to the public through the press.

In regard to the territory of Dakota it is not necessary that I should say much as it is quite well known already, for during last summer and the summer before a large number of emigrants and travelers have passed through it by way of the Missouri river and by different overland routes.

As an agricultural district it will not warrant very high expectations, though I have seen very good crops raised here and the finest cabbage and cauliflower that I ever saw grew in Dakota. Corn was raised and sold in the lower part of the Territory for 25 cents per bushel and potatoes for 50 cents. The territory is, without doubt, better for grazing than anything else so far as it is yet known. If cows can be raised in Iowa, Illinois and Wisconsin for \$25 per head, they can be raised in Dakota for \$10. I have lived in all three of these states and one of them I call my home now and hope the good people of these states will not take offence at this statement, they all have great reason to love their respective states. Cattle in this country need but very little care or attention. On the high prairie the grass is usually very short and thick and obtains its growth by the first of June, or at most by the first of July, and owing to fact of there being so little rain during the summer, the grass as soon as the hot weather begins dries up and then is just so much good hay and remains so until destroyed by fire, heavy rains or snows; the last two seldom comes. Last year and this grass hoppers have been very numerous and have destroyed the entire crop in many localities and have done much damage to the grass.

The Missouri River is of great importance notwithstanding

it is so universally abused. When our new navigators learn what kind or model of boats is best calculated for its peculiarities there will be less trouble in navigating the whole distance from St. Louis to Fort Benton (3175) miles, than there is in going half way.

But enough of the Territory in this letter. I shall take occasion to refer to its advantages, disadvantages, resources and peculiarities, as I take the reader from one part to another for I intend, by your consent, Mr. Editor to continue these articles for some months.

JOHN PATTEE.

SIOUX NATION NO. 2.

Camp No. 14 North West Ind. Exp.

July 3rd, 1865.

Mr. Editor:—When I closed my letter of June 27th, I intended to speak in this of the Sioux Indians as a people but must defer it to my next and notice in a brief way correspondence from Minnesota.

Some time in May you published an article over the signature of "North West" in which the writer magnifies the dangers that threaten his state and says the state is in a defenseless condition having not more than 300 troops, and that the troops have been withdrawn and are congregating at Sioux City for an expedition under "Maj. General Sibly" to the Black Hills. This is as the writer well knows all wrong. There was at the time that "North West" wrote that article about 3000 troops in Minnesota. There is one full Regiment the 2nd Minn. Cavalry, for our companies of the 1st U. S. infantry under a Lieut. Col. Hatches Battalion. Six Cos. The 3rd Minnesota Battery and some of the veteran R. C. The expedition now moving up the Missouri was first intended for the Black Hills but such misrepresentation as that of "North West" or some other has turned it aside and it is now ready to march not under Brevet Maj. General Sibly but under Brevet Maj. Sully who has been in command of this district for two years. It is made of four Companies of the 6th Iowa Cavalry under Lt. Co. Ten Brock four Cos. of Bracketts battalion under Maj. Bracket, three companies of the 7th Iowa Cavalry under Lt. Col. Pattee and 100

men of the 4th U. S. Infantry and these and the aggregate make 1000 men besides 45 men organized as a battery having four 12 pdr. Mountain Howitzers under Capt. Pope.

Another article published is from correspondent "A" to the St. Paul Press dated Fort Abercombie June 2nd, 1865, as is I believe from Lt. Col. Adams who was called the "Stampede Capt." while moving down in the "Army of the Potomac." He states that all the hostile Sioux west of the Missouri that fought General Sully last year having heard that he was pushing into their country again have crossed the river and joined the Yanktonians and Yanktons and other Sioux at Devil's Lake and Turtle Mountain making 3300 lodges. This is all bosh. There are only about 3000 lodges in the whole Sioux Nation. The Yanktons number 360 lodges and are loyal Indians and at their homes near Fort Randall when "A" was writing that article. The hostile Sioux that live west of the river were in Camp near by Kampe River ten days ago and number 1600 Lodges. They are near where General Sully fought them on the 28th of July last. And there are 200 lodges of Cheyennes and some that the Sioux call "Cut Off" that we suppose are Arrapahoes or Kioways.

Just stick a pin here and see if my statement is not proved true during the summer.

Minnesota is in my opinion a fine state and has a fine people and I am not going to quarrel with them but the Indians have been so thoroughly mixed up with their elections and especially with other pecuniary affairs and family affairs of so many of their prominent men that they let go the hold that they had upon them with great reluctance.

All that General Sully has done in the last two years has been credited to General Sibly by the St. Paul and Milwaukee papers.

If General Sully telegraphs to Milwaukee that he has had a fight with the Indians the papers there and at Saint Paul publish the dispatch above Sibly's name. This has been the constant practice for two years.

JOHN PATTEE.

SIOUX NATIONS NO. 3.

Camp No. 23, N. W. Ind. Exp.

Opposite Ft. Rice, D. T. July 17, 1865.

Mr. Editor:—Fourteen days have passed since my last letter was written and we have marched 180 miles further up the River and into the Country of Yanktonia Sioux. We arrived here on the 13th inst. Fort Rice was located July 7, 1864 by General A. Sully and is one of the first Forts on the Missouri River above Leavenworth. It is about 1900 miles above St. Louis.

The first troops stationed here was the 30th Wisconsin Infantry they were relieved by a part of the 6th Iowa Cavalry in September last and they were relieved by the 1st. U. S. Bat. in October or six Companies of it which still remain either dead or alive. 104 men have died during the winter at this Post. There are now camped near the Fort about 200 Indians who are satisfied with the whipping they got last summer and are now anxious to make peace. There are no principal Chiefs and it is doubtful if any peace is made until some of the Head Chiefs can be induced to come in.

General Sully has taken a very wise course with them. He has had a talk with them and given them a feast and now sends them out to hunt trusting that when they relate to those that are afraid to come now that they will come in and make peace.

I find that in my statement in my letter of July 3rd that the hostile Indians were nearly all on the West side of the Missouri River is now proved beyond a doubt.

When we go from here has not yet been made public and various rumors are afloat from day to day. Some say to Fort Berthold and some to Devil's Lake and some say home-ward but most likely the wish is Father to the latter opinion as the boys think that inasmuch as the Rebellion is put down they ought to be allowed to go home.

I sympathize with them because some of them have been here nearly four years.

A steam boat lays at the bank and will start for the states at day light tomorrow and out mail might be made up by said night and it is now within an hour of that time.

JOHN PATTEE.

SIOUX NATIONS NO. 4.

Camp No. 23 N. W. Ind. Expedition.

Near Fort Rice D. T. July 21, 1865.

Mr. Editor:—The 200 Indians spoken of in my last letter have had a "talk" with the General and declared that they are tired of fighting the whites and desire peace. They are not very well satisfied with having Fort Rice in the heart of their Country. It is a great eye sore to them and during the last winter it has been governed by the 1st U. S. Bat. This Regiment was made up from a camp of rebel prisoners near Norfolk, Va., and officered by men from Massachutetts who knew but little of Indian ways and they have not got along very smoothly.

There have been two sets of traders here all winter and three since the River opened and this Indian trading is a fruitful course of trouble and of which I will speak in my next letter.

These Indians are now all on the East side of the River and camped about two miles from us. They are certainly a very remarkable people. Last year they fought us three days, now they come in and talk and seem most of them as much at home as though they had lived beside the whites for years. Fifty or sixty women and children come into camp every day to buy provisions. But most of them have seen the whites go up the river and down for several years.

Among the most noted Chiefs present were Two Bears (Ma-to-no-poh) Black Cat Fish, Bear Ribs Son, Long Soldier and a number of small chiefs, many noted warriors and principal men.

Their talk was not so eloquent as I have frequently heard by others in this country. Three of them made a story set against the Commanding officer of the post and seemed to have an unfavorable opinion of his skill in managing a Post in the Indian Country.

The expedition will move on in a day or two or as soon as Maj. Shreeve pays out what few Green Backs he can spare at this time. The pay department of the Army is a very important one and the soldiers in this far off country think it badly managed.

The expedition last summer was accompanied by a Pay Master with two iron chests but it was hard to get them open. The troops were paid once during the summer and after returning last October the Pay Master made three trips to Chicago and some other point before he could get money enough to pay them all up and the final payment was made in February. It cannot be wondered at that we are surprised at such a waste of time. One pay master traveled all summer with the Expedition and then continued his travels until the middle of February to finish the payment when there was only 3400 men connected with the expedition.

Again the Expedition moves this Spring without having any more of the Pay Master until it reaches a point about 1900 miles above St. Louis instead of being paid before they started. The men in the army, very many of them are men with families and wish to send their money home but now they must pay one per cent to get it to Sioux City. But this is not the worst feature of the case. The money is all gone before he is half through with the payment and soldiers having six months pay due must wait until Maj. Shreeve can make another trip to Chicago, Leavenworth or some other point and we need not look for him back until we reach the border settlement next fall. This is rather unsatisfactory to women and children at home without money clothes or provisions. But I do hope it will be all right "when this cruel war is over" for then some of these additional pay-masters can apply themselves to their old callings of singing negro ballads and tending bar or some other ornamental or useful occupation for which some of them seem to admirably qualified.

JOHN PATTEE.

SIoux NATION NO. 4.

North West Ind. Exp.

July 23rd, 1865.

Mr. Editor:—I propose to speak of the Sioux Nation and to begin I would say there are but few in this Nation that know what the word Sioux means. Among themselves they are called Dakota or La-ko-ta.

The Indians on the west side of the Missouri river are called Tetons and are made up of the following bands: The Ogelalla Dakota's live in the vicinity of Fort Laramie on the Platte river, and Lt. G. K. Warren, topographical engineer, who explored this country in the years 1855-7-8, (now General Warren of the Volunteer Army) computes their numbers at 2,880. These I know but little about. They seldom come over to the Missouri river. Among the Indians they are called O-ke-da-ta. Immediately north of these and on the head waters of the Rapid or Niobrara river, the White Earth and the Cheyenne rivers are the Sansarc tribe and the Mini-Kanyes, who remain about the Black Hills of Dakota where they find buffalo, elk black tail deer and big horn mountain sheep in great abundance.

The mountainous character, together with great amount of pine and other timber found here, affords excellent shelter for game as well as Indians. The Brule or Se-chun-gu Dakotas inhabit the country between the Niobrara and White Earth rivers but frequently are found among other bands. The O-he-no-pa or Two Kettle bands claim the country between the White Earth and Cheyenne rivers. North of the Cheyenne river there are an immense number of rivers and creeks, all of which rise in what is called the Bad Lands and run into the Missouri river on the west side every five or ten miles until within a few miles of the Yellowstone river. The most important of these streams are (beginning at the lowest) the Moreau, Grand river, Ramport creek, Cannon Ball river, Heart river, Big Knife river and Little Missiuri. Fort Rice is about eight miles above the mouth of Cannon Ball river and the country west of it has never been explored by white men until last summer the expedition under General Sully passed through from here to the Yellowstone river, crossing that river about fifty miles above its junction with the Missouri. Here is an area of about 40,000 square miles that is occupied by these Dakota Indians and constitutes by far their most important hunting grounds. The most of it is claimed and occupied by the Unk-pa-pa and Si-ha-sa-pa Dakotas. There are other bands that come over it during the summer and find buffalo, elk, deer, antelope, mountain sheep, black and grisly bear, and

three kinds of wolves in countless numbers, especially the wolves and buffalo.

On the east side of the Missouri river and commencing next the settlements are the Yanktons, numbering 2,300 persons.

These are located on a reserve containing 40,000 acres and have a few houses built by the government, and raise, when the season is favorable, considerable corn. Several attempts have been made to educate some of them but to very little purpose. They are peaceable and well behaved as long as there is a military garrison located by them to watch them.

The massacre by the Santee Dakotas in Minnesota during the summer of 1862 resulted in the removing all that band from the state. The friendly portion of them were located on an extensive reservation laid out on the ceded lands bounding the Indians lands near Fort Sully. There were about 1,600 sent there besides an equal number of Winnebagos. The balance of the Santees are in northeastern Dakota and along the line separating our territory from the British possessions. They are a source of great trouble. They are constantly supplied by British traders from the Red River of the North and encouraged by them to keep up the war. On the east side of the Missouri river extending from Medicine Knoll river, nine miles below Fort Sully to Fort Berthold, is the country of the Yanktonais, the most powerful band of the Sioux nation. The lower portion of this band are quite friendly and are called Unk-pa-telas. The upper portion are called Cut Heads, and many of them are hostile. These ten bands constitute the Sioux nation. They live in lodges made of buffalo and elk skins tanned and sewed together and looks something like a sibly tent. The average number of persons to each lodge I think may be put down at seven and the number of warriors are variously estimated from one and a half to three for each lodge.

From a careful examination I am of the opinion that there are two warriors to every lodge. Taking this as a basis the strength of the Dakota Indians will be as shown by the following table:

Name of Band	N. of Lodges	No. of Souls	No. of Warriors
Yanktons	365	2,300	730
Yanktonais	750	5,250	1,500
Santees	700	4,900	1,400
Si-ha-sa-pas	250	1,750	500
Unk-pa-pas	350	2,450	700
Sans-arcs	180	1,260	360
Min-ni-kan-zhu	300	2,100	600
O-he-no-pas	180	1,260	360
Se-chun-gus	450	3,150	900
O-ge-lal-las	360	2,520	720
	3,945	26,870	7,770

JOHN PATTEE.

SIOUX NATION NO. 5.

N. W. Ind. Exp., Aug. 1, 1865.

Editor of Tribune:

It is well known that uncivilized as well as civilized nations delight in dancing. The Sioux have three dances. The scalp dance, after the return of a successful war party, is often kept up for days and even weeks and does not differ, materially from other tribes of Indians. It has been too often described to need attention at this day. The horse dance is performed before going out to steal horses, after the return of a successful horse stealing expedition and often when two bands meet for a feast.

In performing a horse dance the brave that takes part in the dance has around his body as many lariats as he has stolen horses and in performing any and all dances every Indian wears many feathers in his head gear as he counts coups.

The counting of coups is regulated among the Sioux as follows:

We will suppose a case for illustration: Five men go out to fight or steal horses and one of the Indians shoots an enemy but the other four gets to the fallen man first and strikes him, they count one coup each while he counts nothing. Killing a bear counts one; capturing a gun or a bow and quiver also counts one and capturing a horse counts one coup.

The Big Head, a Yanktonia chief, who fell on the ice and

killed himself in the winter of 1863-4, counted more coups than any other man of the nation; he counted seventeen.

The Medicine Bear, another chief of the same band, now counts more coups than any other man in the nation.

In a fight with the Crows some eleven or twelve years ago, he was shot through the body but afterwards killed the man that shot him and another who was with him. His wound was very severe and has never healed up.

The most important dance is probably the sun dance and a description of it will no doubt be of interest to the general reader.

This dance, sometimes called the strong heart dance, and is generally performed in June when the moon is full. A large lodge is erected by planting posts in the ground seven or eight feet apart in a circle of thirty or forty feet in diameter, leaving an opening on the east side about twenty feet wide. A strong pole is placed in the center. Rafters made of lodge poles are then fastened to this center pole and extending outwards, over this is then spread several lodge skins made of tanned buffalo hides sewed together with sinews.

On the south side of the lodge the singers, or I may say, the orchestra, is arranged with a large drum upon which several Indians beat with clubs.

A bed of leaves is prepared in the north side of the lodge with two posts about eight feet high, set at one end of this bed and two at the other. All these preparations being made the dance begins at sunrise. I witnessed one of these dances among the Yanktons and there were eight men in the dance. Sometimes there are more and sometimes there are less. It seems to be an initiation into the Strong Heart band. The dancers stand in single line facing the sun and looking directly at it with wild, earnest stare, at the same time they keep up a steady jumping up and down. This is kept up for several hours. They also have a short bone whistle in their mouths and blow a short quick blast at every breath. They dress and paint in gay style and hold in their hands some images of horses and various things which they intend as offerings to the sun to be made at some future time. At the end of perhaps three hours the music ceases and the

dancers turn to the back of the great lodge and seat themselves on piles of green herbage to rest a few minutes when they again engage in the dance as before. Thus the dance is carried on until sundown when they rest for a short time. They then face about for as the sun goes around to the west the line wheels to the right and at sundown they are facing to the west. These dances generally continue for two days and one night and often for three days, and that too without food. Near the close of the dance comes the grand trial of courage and enduring of pain.

There are two Indians, old warriors who officiate as masters of the ceremony, and while the dancers are having a short rest, these two men without a word or an apparent sign seize one of the dancers with great determination, throw him down on his back upon the bed of leaves before described. They both seize the skin on one side of his breast with the thumb and finger and pinch it up till it forms a sharp ridge, then a narrow sharp pointed knife is run through making a hole about three-eighths of an inch long, through this a strong string made of sinew is passed and made fast to a short piece of wood about three inches long, and the other end of the string is made fast to a leather string which is fastened to the top of one of the poles as before described. They then proceed to insert another string on the other side of his breast. The man is again seized and turned upon his face and two strings fastened into holes made on each side of the back and fastened to the tops of the two poles standing at the head of the bed of leaves. The candidate is then lifted upon his feet and the balance having been formed in line again begin the dance. The one thus tied up begins to dance by advancing and returning alternately until these strings strain hard on their hold in the skin. Then the dance is carried on with the greatest possible vigor, the one tied up pulls harder and harder on the strings, sometimes throwing his whole weight upon them until they give way and he is then conducted to his seat at the back of the lodge with the balance of the dancers. In a few minutes the same thing is gone through with another candidate until all have proved that they have strong hearts. They sometimes

have one or more who choose to have one or two of the strings inserted a second time. The dance is then continued as before for a short time when all ends with a big feast of fresh meat and corn, and if possible, they will have dog meat for a feast. Dogs are often eaten at feasts made when friends meet after long separation and is considered the greatest favor that can be conferred. The idea of eating dogs, I will admit, is disgusting, but I assure you kind reader that I have once participated in this grand feast and thought it very good meat until after the feast was over and I found that I had been eating *dog*.

During the last few years I have seen Indian life in many of its details. I was born in an Indian mission at the upper end of Lake Erie and have spent my whole life on the frontier. Have seen the Wyandots, Shawnees, Chippewas, Potowatomis, Otoes, Delawares, and others but there is no doubt that the Sioux are the most degraded set of savages on this continent. There is but little among them that can be found to interest anyone. Almost entirely without tradition and with but little skill in fabricating those things that they use most.

How often I have thought of Longfellow's Hiawatha and of his land of the Dakota; Land of handsome women. How he must have drawn upon his imagination in describing the "Mountains of the Prairie" where "Getche Manitou the Mighty" came down and sat and smoked as a signal to the Nations."

But why wonder at Mr. Longfellow's ideas and not at the many erroneous ideas entertained by almost all eastern people who cry out against every attempt to chastize these vagrants as their past conduct merits. I think if some of them could visit this country and eat hard bread and bacon and lay out on these broad prairies without a tent and that too, when the mercury was from 22 to 36 degrees below zero, as I have done, they would cease their senseless sympathy and cease their cry about Mr. Lo, the poor Indian.

JOHN PATTEE.

Upon our arrival at Fort Rice it was found that just dissatisfaction prevailed among the soldiers as well as among the Indians. Col. Drummond, who had been in command since the

fall before was twenty-two years old and was a down-east Yankee from Massachusetts, and that is all that need be said, except that he wanted leave of absence for twenty days. The general could not grant leave to any men high or low. But the general was an old campaigner full of reasoning and gave him permission to go to St. Louis to apply to the division commander for a furlough and got him out of the way. I was then placed in command of Fort Rice on the 24th day of July, 1865, at 3 o'clock a. m.

The expedition started for Devil's Lake the same day. General Sully was greatly depressed by these and other unfortunate circumstances. He had got rid of one colonel and put another in arrest, but he could not evade orders of General Curtis. Before starting he instructed me to open his official letters and answer them in his name. His rank in the regular army was major, but when he returned from Devil's Lake I had the satisfaction of placing in his hands three commissions from the president. One as lieutenant colonel of his regiment, one as brevet brigadier general in the regular army, and the third, making him brevet major general of volunteers.

The command of Fort Rice was no easy task. All the officers and men were strangers to me, but I found them generally quite well equipped for their various duties. A large number of the officers were well educated and very bright men. In the first place I made careful inspections of the food supply. Over 80 men had died at the post during the winter and there were twenty-two sick in the hospital. I found that there was a large supply of subsistence stores in good condition. The fort was well built. The 30th Wisconsin infantry must have been largely from the timber region and good axmen, for they had done their work well. Some one among those ex-rebel prisoners had served in the U. S. navy before the war, as I was informed, and he had mounted the Howitzers in the block houses something like they were mounted on board the vessels in the navy. I am very sorry I am unable to give this man's name for I would gladly honor him for the good work he did. The guns could be swung around, run out for firing and withdrawn with one hand. There

was at the post a herd of beef cattle and on the morning of July 28th I visited the cattle yard to know the condition of the cattle. The yards had been well located close to the river surrounded by a dense growth of willows. This was early in the morning before breakfast and when I came up from the cattle yards onto the table land where the fort was built I was about 200 yards from the north gate. I saw about 15 or 20 men rush out of the gate under arms and looking up the river and turning to look in that direction I saw about 30 mounted Indians making a headlong dash in my direction and the chances were ten to one against me, but they were after a small band of ponies that were grazing near by. They got their ponies and I have always thought those ponies saved my life. I ran around to the west gate inside of which was a lookout station. Reaching this I found that the fort was surrounded by thousands of Indians on three sides. Looking to the condition on the inside of the fort I found the men were all on the top of the building looking to see what was going on. I gave the order to fall in. Running down from the lookout I met the company commanders, and without knowing their names, I gave orders to each where to place his company, but for none to go more than 200 yards from the fort. I then went to the artillery party and gave orders about serving the guns. I then mounted my horse and rode outside of the fort and found the companies strung out around the fort, But instead of being 200 yards away, they were at least a half mile away and but little could be done with the artillery. One shell was thrown towards the northwest that killed one Indian and one horse. I sent an orderly to call in Captain Sewell from the northwest and rode to the west to call in some strangers that were ascending a high hill, behind which I knew there were at least 1,000 Indians for I had seen them from the lookout station, but I was too late. The men, about 25 in number, had reached the top of the hill, and were attacked by the Indians. One man, Sergeant James C. Hoffman of the 4th U. S. volunteers, was killed by an arrow, but not until he had wounded two Indians. These wounded Indians were carried away by their friends. I immediately sent a part of a company to bring in Hoffman who

was dead. Then I went to Captain Moorland's company of the 6th Iowa cavalry, which had already made several charges on the Indians at a point south of the fort. The Indians had placed themselves behind three hills which were located over a half mile apart, one to southwest, one directly west and the other to the northwest. Captain Sewell attended to this last party and the other two joined together and four companies were pushed forward against them and soon had them on the run and followed about four miles and then all returned to the fort. Capt. E. G. Adams, Company A, 1st U. S. volunteers, had been left in charge of Fort Rice during the fight and he had performed well.

The loss on our side will appear in the following report by Capt. E. G. Adams, Company A, 1st U. S. volunteers, as published in the Frontier Scout, in the issue of the 3rd of August, 1865. The Scout was published weekly by Captain Adams and Lieutenant Champney. It was first published at Fort Union at the mouth of the Yellowstone river by a company, Company I, 30th Wisconsin infantry, in 1864.

Battle at Fort Rice, July 28th, 1865, by Capt. E. G. Adams, Company A, 1st U. S. volunteers.

About midnight after the battle the sentinels on duty believing the Indians were lurking around with the intention of making a night attack, gave the alarm. In ten minutes a company was at each of the gates fully armed with guns loaded ready for action. Howitzers were run out and five balls were thrown from the guns that lighted up the whole country for half a mile in all directions. No enemy was to be seen and in about two hours the troops were dismissed to their respective quarters. With the post adjutant, Lieutenant Archibald, I went from gate to gate examining all sides of the fort until near morning.

Something more should be said in regard to the battle of Fort Rice. There were instances of individual daring that well deserve more particular mention. Captain Moorland of that company was officer of the day. He ordered ten of his best men to mount their horses, at the same time directing his first sergeant to bring out the balance of the company, about 25 men. Sergeant Hobbs had gone to the stables for the horses. Captain

Moorland, with the ten men, dashed out of the gate, down past the sawmill, over the creek, by the bridge, and attacked the Indians that had just killed Private Hufstualer. The balance of the company soon followed. The horses were untrained Canadian ponies. Sergeant Hobbs' pony became unmanageable and he had to abandon him. Hobb's then went to assist Sergeant Hoffman, who was trying to hold together and defend a party of stragglers who had wandered off to the top of a high hill only to find 1,000 Indians or more behind the hill who at once attacked them. These men being mostly unarmed started to run down the hill. Hoffman and Hobbs backing down the hill after them, and fighting the Indians off with their revolvers. I was approaching from the south as fast as my horse could bring me and in plain sight, and saw more than one Indian fall before those brave and dauntless men and their deadly weapons. Hoffman went down to his death with an arrow through his body. Hobbs, with the balance, escaped to Lieutenant Backerman's company, and I then sent a part of this company to bring in the body of Hoffman. Captain Moorland's company made ten distinct charges on the Indians, he being frequently 100 to 200 feet in advance of his men.

Again on the 30th of July a few Indians appeared and tried to get some of the beef cattle, but failed. A few shots were fired and it was reported that one Indian was killed by a solid shot from one of the Howitzers.

Company A, 4th U. S. volunteers, was sent across the river to guard the hay cutters. Captain Adam Bassett left on the steamer Big Horn, August 7th, for Fort Union in Montana, to relieve Company B, 1st U. S. volunteers. Dr. Knight being relieved by Dr. S. P. Yoemans of the 7th Iowa cavalry, leaves for below.

As the primary object of my being stationed at Fort Rice was to open communication with hostile Indians on the west side of the Missouri river, and try to make peace with them. I at once sent Mr. Galpin to communicate my wishes to them. He was an old time employe of the Fur company and well acquainted with the Indians and a good interpreter. He went first

to Fort Berthold and from there sent to the hostile camp for them to go to Fort Rice to hold a conference with me in regard to peace. I also sent a friendly Indian directly to the hostile camp to invite them to a conference. They told him they would not come and that they ought to kill him for deserting his people and going over to the whites, but they let him live if he would come and tell me what they said. I soon sent him out again to repeat to them the same message. After giving him time to rest a few days I sent him a third time as before. Some of the Indians railed at him as before, but an old Indian of good standing among the people said to his people: "This is the third time this man has come and told us these same words, and I am getting tired of this fighting and I think we ought to go and hear what he has to say." Accordingly they agreed to come in as directed; that they should come to a point on a hill back of the cemetery in plain sight of the fort and I with Mr. Galpin would come out and meet them and bring them in to hold a council. In the meantime the general returned from his expedition to Devil's Lake, coming back by way of Fort Berthold. Although he had traveled over 500 miles he had found no hostile Indians. He encountered a large camp of Red River half breeds from over the border in the British Dominion, who have long been a fruitful source of trouble to the American people, while they have been furnishing powder and balls to the Sioux Indians and inciting them to hostilities against our frontier settlements. After staying a few days he departed for Sioux City.

The result of General Sully's expedition during the summer of 1865 had proved a dismal failure as was predicted by all connected with it that were acquainted with the conditions under which he was compelled to operate. With a fine body of men selected from three different regiments that were then serving in the third and fourth years of their enlistment, the whole body marched from Sioux City, Iowa, to Fort Sully, a distance of 290 miles, thence to Fort Rice (180 miles), thence to Devil's Lake (131 miles), from Devil's Lake to Berthold (144 miles), return to Sioux City (570 miles), a total for the summer of 1,315 miles. The entire summer consumed in this useless expenditure of time,

to say nothing of the cost in money. The immense forces that menaced the border of Minnesota are now forever to be myths, as we well knew it would be—1,300 miles of wear travel for nothing. The only compensation for the toil of men and the expenditure of public money is that facts are furnished that have not failed to convince those in authority of the mercenary motives of the men whose misrepresentations have controlled the operations for the summer. We have long been convinced that a few self-constituted guardians of this country were animated by the sole desire of effecting the removal of our district commander and secure a successor less disposed to interfere with and expose their nefarious Indian transactions. Assuming a knowledge of Indians above all others they have availed themselves of every possible means to force upon the government a policy that would work to their benefit. Their motives are at least made plain. Had General Sully been allowed to cross the Missouri at Fort Rice as he intended to do, the result would have been far different. In the military department south of us a larger number of troops had been pushed up the Platte river and sent north from Fort Laramie into that part of Dakota lying west of the Black Hills under General Connor. It will be remembered that Dakota then reached six miles in to what is now the state of Idaho. Large numbers of Sioux Indians from the Platte river had gone north into what is now northeastern Wyoming and southeastern Montana. All of these Indians would have found themselves between General Connor on the south and General Sully on the north. Shortly after General Sully had left Fort Rice the Indians in west came as per agreement to hold a council with me, and when we had become a little acquainted they told me of their fight with General Connor on or near the Powder river. I immediately reported to General Sully, then at Old Fort Sully, and he gave it to the papers and it was the first account of his fight that was published and before Connor got back to Fort Larimie. General Connor was worsted by the Indians and he had but five wagons left when he got back to Laramie, having destroyed all the balance. The far reaching effects of this outrageous and mercenary scheme will never be fully understood or comprehended. There can be no

possible doubt that the Indians, being placed between the two columns of troops would have been terribly and justly punished. And who can tell how far this punishment would have told on the future settlement of this region of country.

The Indians when convened in council were vindictive and very slow to come to terms or show any degree of friendship. The establishment of Fort Rice in their country and the road we made from that post to the Yellowstone river the year before were too fresh in their memory. The Fire Heart, a noted chief of the Black Feet Sioux, was particularly displeased, for he and his band had been assigned the country lying between the Cannon Ball river on the south and the Heart river on the north, by the treaty made at Laramie in 1858, and he did not want any white men in it. In addition to this he had been shot in the knee at the battle of the 8th of August, the summer before, at the crossing of the Little Missouri and his leg was stiff. I talked to them for about an hour and listened to their replies for two hours. There were 30 Indians in this delegation, representing the Brules, Ogalalas, Two Kettle, Minne-Kan-jues, Unk-pa-pa, Black Feet Sioux and Yanktonais. I gave them plenty of time and appointed another meeting for the next day and told them to camp north of the fort and told them to go any place to the stores or trading houses, except inside the fort. I detailed one guard to look after their comfort and see that no one should trouble them, and through whom I would communicate with them and they with me. Gave them plenty to eat. By the time appointed for the next day's council everything seemed to be in a fair condition. There is always an Indian room connected with all trading posts for Indians to smoke, loaf or gossip in. These councils are held in these rooms. No guards were used on these occasions. Every one was on his honor as much so as if we had been under a flag of truce. In fact I could have gone to the hostile camp with perfect safety provided I had sent word of my intention to do so before I started. The result of this little talk was as follows: They agreed to go back to their camps so they could hunt, leaving with me one man from each of their camps to serve as messenger from me if I had occasion to com-

municate with them. These messengers were to be chosen by the camps; (there were three camps) and were to be fed by me and each was to receive a suit of soldiers' clothing, or coat, pants, shirt and hat. And as a commission had been appointed by the president consisting of seven men to make a treaty with these Indians, I was to use these messengers to notify the Indians when the commission should arrive at Fort Rice, then they should bring in as many as they pleased to make the treaty.

Winter was rapidly approaching and the commission did not arrive, but we were notified that they were on the way by steamer.

The water in the river was getting down every day. The steamer Belle Peoria, in government employ, had gone down the river and grounded on a sandbar and I had sent twenty men down to help get her afloat, but it was a hopeless task. She lay in the sand all winter, was abandoned by the crew and I placed two men in charge of her during the winter and she was crushed by the ice as soon as the river broke up in the spring and the government had to pay the bill.

About the 1st of October I was notified by Major General S. R. Curtis, chairman of the Indian commission, that the commission had reached Fort Sully and abandoned the idea of reaching Fort Rice, and that I must collect together a delegation of the Indians and bring them to Fort Sully to make a treaty. I immediately sent out the Indians messengers to call in the three camps. About 300 Indians came in and I had the most difficult job on my hands that I ever had. When an Indian makes a bargain with a white man he expects the white man to keep his word. It is next to an impossibility to make a new bargain. However, after three days' negotiations I got them to agree to send a delegation if I would furnish the transportation, for they argued that if each Indian had to take a horse and ride to Fort Sully (180 miles) and return to Fort Rice that the horses would be useless for the winter hunt. This could not be denied and so I prevailed upon them to start out on foot. It told them I would have three or four horses along—two of my own and some government horses—to ride after buffalo which were to be found in

great numbers for half the distance as we were informed by the mail party. I also told them that I would take three six-mule teams to draw provisions to last them down and back, and that we would eat enough provisions from the wagons to make room for any that got too tired to walk. We would have a good time all the way down and back.

About this time Colonel Clark arrived from Missouri with the 50th Wisconsin infantry, one year's men with their time nearly out, to garrison the fort for winter. All the U. S. volunteers were ordered to Fort Leavenworth for muster out. Colonel Dimon of the 1st U. S. volunteers returned from leave of absence, having been to Washington and having been appointed brigadier general by brevet. Unfortunately for him when convened again it failed to appreciate its merits and the senate rejected his appointment. The last I heard of him was in 1876. He was then living in Springfield, Mass., where he was an insurance agent.

All things being at last in readiness I left Fort Rice with the Indian delegation with only three soldiers for an escort, on the 18th day of October, 1865. I had Major Galpin as interpreter. I never learned how he came to be called major, but so he was from the time I first knew him. We camped the first night at the mouth of Beaver creek, where we found a small camp of Indians of about 20 lodges. A part of these were to go with me to Fort Sully. Word was sent to Four Bears to join us at the next camp. He reached us about 10 p. m. with some of his head men and we passed on to Hidden Wood creek. Here we were met by the mail party bringing a letter urging me to hurry on or they would leave for Washington. I thought it was a matter of the first importance that they should see the delegation that was with me. I sent my orderly, Wm. Morse, to Fort Sully with a letter to General S. R. Curtis. That letter left me at 5:30 p. m. and was placed in General Curtis' hands at 10 a. m. the next day (100 miles away). I pushed on as rapidly as possible to Swan Lake creek, where I added several more to the delegation. On the 22d of October we reached the Little Cheyenne river in the midst of a fearful snowstorm and had but one tent eight feet square for 40 people. The Indians went to

work building shelters of green brush and had very fair shelter as the foilage had not been injured by the frost. The next morning we found there was a camp of 40 lodges of Indians only about a mile and a half below us and we moved down and were hospitably received into those forty lodges. The storm raged with great fierceness from 3 p.m. on the 22d until 10 p. m. the day after. October 24th opened beautifully and I started out with the snow from one to forty inches deep, badly drifted. About ten miles out met a mail party of six men of the 4th U. S. V. going to Fort Rice. After overhauling the mail I inspected the mail party and all were southern men from Tennessee and Georgia and were all good stalwart men, but by some criminal folly they had been sent out or allowed to go out with only one blanket each. It was touching to see those stalwart men shed tears of joy when I ordered them back to Fort Sully with me. I shall always believe they would have perished before they could have reached Fort Rice. That night we reached another Indian camp at Assiniboine, or Snake creek, where we had a comfortable night in the Indian lodges. On the 25th we reached Okoboji creek and on the 26th of October, 1865, we reached Fort Sully with 17 chiefs and forty head men, representing 12,000 Indians of the following bands, towit: Brule, Oglala, Two Kettle, Minne-Kanjues, San-Arc, Unk-pa-pa and Yanktonais. Major General S. R. Curtis, Hon. Newton Edmunds, then second governor of Dakota Territory, and a man from Wisconsin, whose name I fail to find in the record.

October 27 the war of diplomacy commenced and raged fiercely from 9 a. m. to 3 p. m. with no preceptible advantage on either side. It was a battle of the giants. Some of the most noted Indians were present and participated in the negotiations. Among them the following are representatives: Bear's Ribs Son, Four Bears, Running Antelope, Long Mandan, Fire Heart, Crow Feather, Bone Necklace, Strong Goose and White Swan.

At this point General Curtis was urged to adjourn for dinner.

After dinner General Curtis and Governor Edmunds, on the part of the government, and Four Bears and Crow Feather, on

the part of the Indians, made speeches, when Crow Feather siezed the pen in both hands and after rolling it between them for nearly a minute he made his mark on the treaty. His was the first signature. The balance was soon completed and the Indians started for Fort Rice, and the commissioners for Sioux City by ambulance on October 28th.

I had command of Fort Sully upon arrival there on the 26th and after the treaty was concluded and I had rested a few days I wrote to General Sully for leave of absence and started for my home at Iowa City, Iowa.

After resting 20 days I started back to Sully and arrived there on the 3rd of February, having been thirty days on the road from Sioux City to Fort Sully, a large part of the time digging through snow drifts.

On my arrival at Fort Sully I found about 100 lodges of Indians camped there almost in a starving condition. The army regulations authorized the commanding officer of a military post in the Indian country to issue provisions in small quantities to Indians visiting the frontier posts, but it is not contemplated that it should be done continuously, but there being considerable provisions on hand that had become damaged and been condemned. I was able to keep them alive through February and March, when buffalo appeared within thirty or forty miles and was a great relief to them.

As soon as the river opened in the spring preparations were commenced for the relief of the volunteer troops by troops of the regular army but they were slower than the growth of apple trees.

Colonel Reeve was placed in command of the district and reached Fort Sully late in May on a steamer, but dallied along until he had seven steamers lying at the landing all loaded with troops; but as he was a full colonel in 1861, when the war of the rebellion commenced, and reached no position up to 1866, it will readily be seen that he had a tedious time waiting. However, on the 8th day of June he came to the fort with Lieutenant-Colonel Andrews and informed me that I would go the next morning. Colonel Andrews marched in at 9 a. m. on the 9th of June and I was ordered to be on the steamer with the troops under my command at 10 a. m. ready to start. I was allowed no time to turn over the property for which I was responsible and get re-

ceipts for the same. In consequence of this silly act I was compelled to travel 600 miles at my own expense to get the business properly settled. I proceeded to Fort Thompson (Crow Creek) where I aided in exchanging the troops at that post and passed on to Sioux City, where I found the troops of my own regiment ready for muster out, but no muster officer or paymaster, and had to wait until the 22d of June, 1866, before we were finally relieved and allowed to go to our homes after an absence of four years and eight months.

NOTE BY THE EDITOR.

There has been a good deal of controversy about what motive prompted the "Fool Soldiers," to undertake the rescue of the Shetak captives as related at page 286 by Colonel Pattee, and the subject is so unique a circumstance in South Dakota History that it is perhaps worthy of fuller treatment.

Colonel Pattee is certainly in error about one party going out from Fort Pierre and being unable to secure the prisoners before the Fool Soldiers went out. There was not time for such an enterprise after the report of the location of the captives was made by Galpin and the time when the prisoners were brought in. Primeau did send out Frank LaFramboise, but it was after the Fool Soldiers had left and of course LaFramboise expedition proved useless as the Fool band had already secured the captives. From Charger and several of the party, confirmed by Louis LaPlant, I am informed that Galpin arrived at Fort Pierre on November 17, 1862, and informed Primeau that white captives were held in a Santee camp at the mouth of Beaver Creek, Emmons county, North Dakota. The Fool band started on the morning of the 18th and reached the Santee camp, which was en route down stream, at Mobridge, on the evening of the 19th. They got the captives into their possession on the evening of the 20th and arrived at Fort Pierre on the morning of the 24th. This, I think, is confirmed by Pattee's story. Galpin going down the river and leaving Fort Pierre on the 17th would reach Fort Randall by the evening of the 19th. Pattee was back by the 21st. He got his orders on the 24th and started on the 26th, meeting the captives on the 29th. The time schedule exactly checks. I have no doubt that the Fool Soldiers are entitled to all of the credit they claim in the premises.

SOUTH DAKOTA'S EARLY SURVEYS.

BY FERD J. GOODFELLOW.

The story of the government surveys in South Dakota has to do with all original surveys made within the present boundaries of the state and the office work necessarily connected with the same. But little is to be learned of the work done before the organization of Dakota territory. It covered but a very small portion of the state's lands and had to do mainly with the running of external lines of a tier of townships lying in the Missouri and Big Sioux valleys. Prior to territorial organization all that portion of the state east of the Missouri river belonged to the Territory of Minnesota, and the portion to the west of the river to Nebraska. The latter section was under the control and supervision of the surveyor general of Nebraska, but no work was done within his jurisdiction other than a few small surveys about the frontier forts along the river.

The section east of the Missouri river came under the control of the surveyor-general of Iowa and Wisconsin, and under his direction and supervision were made practically all surveys which were completed before the organization of the territory. His headquarters were at Dubuque, Iowa, and as he had charge of all the surveying work in Wisconsin and Iowa, as well as Dakota, it is not surprising that he found but little time to devote to the interests of the few settlers then within the boundaries of our present state. Following the ceding, by the Indians, of the lands in southern Dakota to the government, and in anticipation of the speedy organization of a new Territory, many of the more pushing frontiersmen came to the new country with their families. Thus sprung up many small settlements along the valleys of the Missouri and Big Sioux rivers, the principal of which were Yank-

Ferd J. Goodfellow, former Curator of this society, was born at Brookings, South Dakota, May 25, 1883. He was educated at the State Agricultural college and served first as deputy clerk of the Supreme Court and then, from July 1, 1903 to January 1, 1906, as Curator, resigning the position to take up the study of medicine.

ton, Vermillion, Sioux Falls and Springfield. A squatter's right was a supreme title in those early days, and it proved quite sufficient for the needs of the community during the first years of immigration, but as the country became more thickly populated great need was felt for more definite boundaries to each man's holdings. The first settlers had squatted upon the best lands and had no difficulty to maintain their rights of ownership so long as there were plenty of good tracts remaining unclaimed, but a day came when all the desirable locations had been taken and then disputes arose as to the exact boundaries of this and that tract. The settlers holding the lands and the newcomers disputing their rights were equally anxious to have the surveys run and the differences thus definitely settled. Already several hundred people were living within the Territory, and they were unanimous in a request for surveys to be made with all possible speed.

After repeated efforts on the part of the people and the representatives of the Territory in Washington, a few surveys were made in the valleys of the Missouri and Big Sioux rivers, as before stated. These surveys consisted mainly in the running of the external lines of the townships south of the parallel of 43 degrees north latitude and east of Chouteau creek, which is the present boundary line between Bon Homme and Charles Mix counties, and also of thirty-two townships in the Big Sioux valley. The townships surveyed in the valley of the Big Sioux consisted of a tier of four townships extending from the south line of Minnehaha to the north lines of Moody and Lake, comprising the sixteen western townships of Minnehaha, the eastern half of Lake and the western half of Moody counties. To partially meet the needs of the time seven of these townships were subdivided. The subdivisions were made in the localities where they were most needed and, as the funds at hand would not permit of extensive subdivisions, they were proportioned among the more thickly settled communities. Sioux Falls township was the only one in the valley of the Big Sioux which was subdivided, as at this point only had the settlement become so far advanced as to require the work. Quite a little settlement had sprung up in the extreme southeastern corner of Union county and it was found ad-

visable to subdivide a fractional township there. The remainder of the townships subdivided prior to the organization of the territory were: Township 93, range 55, and township 93, range 56, in Yankton county, immediately adjoining the village of Yankton; township 91, range 52, and township 92, range 52, in Clay county, immediately adjoining the village of Vermillion, and township 93, range 59, in which was located the thriving little hamlet of Springfield, in Bon Homme county.

New settlers were arriving almost daily and the need for immediate work to be done in the surveying of townships and subdivisions became so great that it was one of the important factors in bringing about the general move for recognition as a separate Territory. It was hoped that with the organization of a new Territory there would be created a new and separate surveyor-general's office for the district. The office in Dubuque was already overcrowded with work and the surveyor-general was so occupied with demands upon him from Wisconsin and Iowa that he gave but little attention to the demands of the people of the western frontier—in fact, he did not realize the extent of the settlements which had been made in the new country. The people of Dakota wanted a new Territory organized, that they might be represented by people from their own community who knew the needs of the Territory, and in March of 1861 their efforts were rewarded by the organization of Dakota Territory and the establishment of the Yankton land office, to be located at Vermillion, and by the establishment of the District of Dakota and the appointment of a surveyor-general for said district, whose office was designated as at Yankton.

The Territory was organized on March 2, 1861, and before the end of the month President Lincoln appointed George D. Hill, of Michigan, as surveyor-general of Dakota. Mr. Hill qualified on June 27th of the same year and opened his office in the little village on the banks of the Missouri, July 1, 1861. In traveling through the lower portion of the Territory by stage, on his way from Sioux City to Yankton, he took note of the great need for immediate work in the surveying field. From the first he dis-

played a vigor and an earnestness in his work which did much for the welfare of the Territory. Furniture for the office had been ordered by the commissioner at Washington, to be shipped from the Kansas-Nebraska office, but, owing to the disturbances then existing in the state of Missouri, it did not reach Yankton until late in the fall. Meantime Mr. Hill had organized his small force of clerks and they set to work in good old pioneer style to make their own furniture. Tables, stools, boxes and rude benches were made to serve the place of the delayed furniture, and on July 13, 1861, Thomas J. Townsend, surveyor-general of Iowa and Wisconsin, transferred to the Dakota office all the original and register's plats, records and transcripts of original field notes and descriptive lists, together with the original field notes, letters, papers, diagrams, treaties, and in fact everything pertaining to the public surveys of the Territory. These valuable papers and documents had to be cared for as best they could under the existing conditions, and many were piled upon the floor for want of a better place to put them. The office force was further retarded in its labors by the lack of proper instruments with which to do the work in hand. Instruments, stationery and office supplies had been expressed from Washington, but failed to reach their destination until in September.

Despite the difficulties under which he was working Mr. Hill had so far progressed in the organization of the work that he was able to make contracts on July 24, 1861, for the subdivision of a considerable tract of the land in the Missouri valley. The surveyors were equally prompt in doing the work, and before winter set in many townships had been subdivided. This contract was the first issued for work within the new Territory after its organization. It will be remembered that at this time there had been surveyed only the external lines of the townships south of the parallel of 43 degrees N. and east of Chouteau creek, and thirty-two townships in the Big Sioux valley, only seven of all the townships surveyed being subdivided. The contract issued by Mr. Hill on July 24th called for the immediate subdivision of thirty townships, seventeen of which were fractional, and some of very small area, covering all of the Territory in the Missouri valley,

the external township lines of which had been surveyed, but which had not been subdivided. The entire contract was completed within the year and, in addition, the external lines of the townships lying between the Big Sioux river and the west line of township 49 and the parallels of 43 degrees N. and 43 degrees 30 minutes N. were surveyed, thus connecting the townships of the two valleys by this tier of townships.

The men who made these early surveys not only had a difficult task to perform in the surveying of this prairie country, much of which was often devastated by prairie fires, but they were in daily peril of their lives. Many Indian bands roved freely through this vast Territory and preyed upon any who fell in their path. Prominent among the early surveyors who experienced trouble with the Indians in making surveys were Cortez Fessenden and John N. Mellen.

These two gentlemen received contracts for surveys to be executed in Clay and Union counties early in 1862. They outfitted at Dubuque, Iowa, then one of the principal out posts on the western frontier and thence conveyed their supplies and instruments to the new Territory by the aid of ox teams. Before they left Dubuque rumors reached them of the hostility of the Indians in the Dakota country. They were told that the Sioux Indians were on the war path and were plundering and killing the settlers in the sparsely settled parts of both the Missouri and Big Sioux valleys. They were not turned from their work by these rumors, for they had made many surveys within the then wilderness of northern Wisconsin and Michigan, where they had not only the Indians to contend with, but were compelled to pack their supplies for miles at a time upon their backs thru dense forests without so much as a blazed trail to guide them. After working under such difficulties it is not surprising that they were not daunted by the stories of hostile Indians in the Dakota land, for to them it was a luxury to be able to bring their supplies and instruments to their field of operations with ox teams, rather than on their backs. They were a joyous party as they left Dubuque. The party was comprised mainly of young frontiersmen who enjoyed the outdoor life and the danger and uncertainty which accompanied their ad-

vent into the new country. But upon their arrival at Sioux City they were compelled to give serious thought to the safety of the expedition. Here they learned that the rumors which they had heard at Dubuque were only too true, and that they were veritably taking their lives in their hands when they ventured into the prairie country away from the thickly settled portions. However they were much gratified by receiving word at that place that the commander of the United States military post, located there, had been authorized to furnish them with a military escort to accompany them during the entire time of their work in the hostile country. In the early days but few men were kept at these frontier posts, and it was but a meager escort that accompanied the little party of surveyors when they left Sioux City for their journey northward. Do not let us get the idea that the party was supplied with ox teams enough to accommodate more than the supplies. In fact, the young and hardy frontiersmen scorned the idea of riding when walking was so good, and not in the least crowded. The soldiers were the only ones who did not walk, and they rode their mounts. Among the young surveyors of this party was Judson Lamoure, then quite a young man, who afterward settled in North Dakota and became quite prominent in business and political circles.

Each member of the party was provided with a carbine and cartridge belt, which together with his working tools he was obliged to carry. The leaders of the party were not expected in this. When they reached the field of their labors it became necessary that the party should divide, Mellen in charge of one division to run a line twenty-four miles west and thence twenty-four miles north, while Fessenden, with the remainder of the party, was to run a line twenty-four miles north and thence twenty-four miles west to connect with Mellen's line. The escort was so small that to divide it meant to do away with its usefulness. This difficulty was overcome by Fessenden undertaking his portion of the work without an escort, thus leaving the entire force of cavalry with Mellen, whose work carried him through a more hostile country than did Fessenden's.

After caching their surplus supplies the two parties separated

though not without serious misgivings as to whether or not they would again meet, for every night since their entry into the hostile country they had observed the watch-fires of the wily redskins. The Indian signals plainly showed the surveyors that they were being watched and their slightest act noted. Scarcely had they separated when their trouble with the Indians began. I give below the story of their experiences as told by Mr. Fessenden, who, it will be remembered, had charge of the party without the escort:

"I had in my party a man who had lived among the Sioux, was familiar with their ways, and could speak their language. Through him I conversed with the Indians when they came about us on the lines or in camp, which they lost no time in doing after we began work in their country. Seeing them coming toward us in small bands when we were running our lines, we would stop work, unsling our carbines, and halt them at a safe distance, telling them by signal, if the interpreter did not happen to be near, that they could come closer only one at a time, and that they must not bring any weapons. As a general rule the chief of the band would leave his weapons with his fellows and come up to us and want to have a "big talk", informing us that we must not survey the land, ordering us to leave the country at once, and threatening us with destruction if we did not do so. Not daring to show the white feather when thus threatened, we would answer him in like manner, making our threats good and strong as to what we would do to them if they did not leave us entirely alone, or if they undertook to put their threats into execution. Scarcely a day passed without a parley of this kind, and often we had two or three of them in a single day. At night we were obliged to fasten our oxen to the wagons with trace chains and lock them with padlocks to prevent the Indians from running them off. We slept on our carbines and took turns standing guard at night. In due time we finished our work up to the point where we were to meet Mellen and his party, but they were not there. Our provisions were running low and the Indians were becoming more ugly every day, but there was nothing for us to do but to camp as near as possible to the point where he would close to our line

and await his arrival. Those were anxious hours. For all we knew Mellen and his whole party might have been wiped out by Indians, and our turn might come at any moment. Our second day of waiting I stood on a high point of ground near our camp scanning the prairie with my field glass when, away off to the south, I saw a buffalo coming over a rise on the run, as though he were being chased. Holding my glass in that direction I soon observed a number of horsemen in full pursuit, but whether they were whites or Indians I could not at first tell. As they were coming toward me I was soon able to make out that they were United States soldiers. I can hardly express the relief I felt when I made out who those horsemen were. Being more or less responsible for the lives of the men of my party, I felt a load lifted from me when Uncle Sam's boys approached me in answer to my signal. They were soon in camp with a good supply of fresh buffalo meat and then explained how they came to be there. They were looking for our party when they came upon the buffalo, which they determined to capture so as to supply the camp with fresh meat. They informed us that soon after our parties separated the Indians became so hostile toward Mellen's party that the commander of the escort sent a courier to the post at Sioux City for reinforcements, telling the courier to inform the commander there that I had no escort with me and that the chances were that my party had been massacred, which the commander of the post thought probable and so reported to Washington. However, he at once sent all the men he could spare, from the guard at the post, to reinforce Mellen's escort, and as soon as Mellen received his reinforcements he sent the party out which found us. Mellen closed his line to ours toward evening of the same day, and our parties were thus again united and remained together throughout the remainder of the work in the field."

Messrs. Fessenden and Mellen completed their surveying contract that fall and succeeded in getting through without the loss of a single man, though they had many trying experiences. Mr. Fessenden executed many surveys within the Territory after the completion of this one, and in 1881 became surveyor-general of the Dakota district.

As previously stated, there was established at Vermillion, at the organization of Dakota Territory, the Yankton Land Office, and Henry A. Kennerly was commissioned register and Jesse Wherry, receiver. It has been generally believed that these two gentlemen never performed any of the duties of their respective positions in Dakota, but from the records in the general land office, at Washington, it would appear that they did perform official duties during their incumbency. The records show that Henry A. Kennerly, who was commissioned as register of the United States land office at Vermillion, Dakota, on April 10, 1861, filed his bond and oath of office, dated August 15, 1861. He was again commissioned on September 28, 1861, and filed bond and oath, dated November 9, 1861, and his nomination was withdrawn.

Mr. Jesse Wherry, who was commissioned as receiver of public moneys at said office, filed bond and oath, dated July 26, 1861; was again commissioned September 28, 1861, and filed bond and oath October 22, 1861, but his nomination was rejected.

It appears that the first cash entry was made in the Vermillion office in April, 1862, by J. B. S. Todd, and the report thereon was signed by Kennerly and Wherry. Mr. Allen, successor to Mr. Kennerly, gave receipts to him for the office records on July 3, 1862, and Mr. Wilkinson, successor to Mr. Wherry, receipted to him on June 16, 1862. In November, 1862, reports of cash entries were signed by J. M. Allen. No. 1. D. S., Homestead Entry, filing, on August 1, 1861, was made by Thomas A. McLeese, and reported by the United States surveyor-general. The first homestead entry under the administration of J. M. Allen as register was numbered 34, on October 6, 1862, and reported on September 17, 1863, by J. M. Allen, register. It therefore appears that Messrs. Kennerly and Wherry actually performed official duties during their incumbency, though they never regularly maintained an office.

Despite the above, there is every reason to believe that, if Messrs. Kennerly and Wherry performed any official duties in Dakota, they were very few. The reports of the surveyor-general show that, the above-named officials having failed to qualify for their respective offices before the close of the congressional session

in the spring, their duties, under section seventeen of the organic act of the Territory, devolved upon the surveyor-general, and, further, that said duties were performed by such officer until transferred to the newly commissioned register and receiver, Messrs. Allen and Wilkinson, in July, 1862. These additional duties devolving upon the surveyor-general consisted mainly in receiving notices of preemption, declaratory statements and attending to grants and location of various certificates. This burden came at a time when the office of the surveyor-general was in poor condition to care for the additional work, but the trial was bravely met, and so far as can be learned the work was most efficiently done.

During this period the first preemption was filed within the present limits of South Dakota. Mr. Thomas A. McLeese filed declaratory statement No. 1 on August 1, 1861, alleging settlement July 20, 1860, for the S $\frac{1}{2}$ of the SE $\frac{1}{4}$, NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, and SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 93, and range 56 W., upon which he located Military Bounty Land Warrant September 1, 1863. This tract joins the city of Yankton on the west. Judge Wilmot W. Brookings made and filed declaratory statement No. 10 on August 24, 1861, for the NW $\frac{1}{4}$ of Section 16, Township 101 N., and Range 49 W., upon which he located Military Bounty Land Warrant November 26, 1862. In his statement Judge Brookings alleges settlement September 9, 1857, the earliest permanent legal settlement made within the bounds of the state. The Brookings preemption lies in the very heart of Sioux Falls city.

In this connection it will be interesting to note to whom belongs the honors of the first homestead under the Free Homestead Law of 1862.

The first land office in Dakota Territory was opened for business, in Vermillion, on July 16, 1862, with J. M. Allen, register, and Mahlon Wilkinson, receiver. Messrs. Allen and Wilkinson owned *The Republican*, one of the two newspapers then published within the Territory, and had engaged Mahlon Gore to run the same. In those primitive times hotels and boarding houses were scarce, and the two land office officials slept in their offices

and took their meals with Mr. Gore, who lived in one of the few cottages on the bluff. The free homestead law, which was passed in 1862, was to go into effect on January 1, 1863, and a large number of people had gathered at Vermillion the day previous that they might be among the first to secure their entry receipts and insure their homes. No one then thought of being the first person to file, but all were anxious to get the matter over with, thus avoiding the rush later in the day. Mr. Gore had planned to take a vacation New Year's day and was therefore anxious to enter his homestead filings and have a full holiday. In a letter dated May 29, 1901, and addressed to Franklin Taylor, now on file in the State Historical Society, he tells the story of his filing in the following language:

"On the last night of the old year, 1862, I worked until about half past 11 o'clock in the printing office, in order to dispose of work, as I had arranged to go away for a day, next morning—New Year's day. On my way home, seeing a light in the land office, I stopped in, and told Major Wilkinson that I would come over as soon as he got up in the morning and file my homestead application, thus avoiding an expected rush later in the day, and enabling me to get an early start. He replied that it was almost midnight, and if I would wait until twelve o'clock I could file my application before going home. I acted upon the suggestion, and within five minutes after the clock struck twelve I filed homestead application No. 1, and started for home with my receipt in my pocket."

This, the first homestead application filed in South Dakota, is beyond doubt the first one filed in the United States. It has been claimed that the home of Hon. J. Sterling Morton, of Nebraska, was the first homestead in the United States, but it is not probable that such filing was made immediately after the stroke of twelve on New Year's morning in 1863.

Mahlon Gore's homestead was located about eight miles north and two miles east of Elk Point, in Union county, the legal description being SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ and Lots 3 and 5, Section 10, Township 92 N., Range 49 W. Mr. Gore, after living upon the land until October, 1864, was given

the position of manager of the *Sioux City Journal*, and went to that city to take charge of same, leaving Henry H. Fisher upon his homestead, permitting him to live in the house and paying him wages to keep up the improvements. Fisher took advantage of Gore's absence and filed a notice of contest and was successful in the trial. In 1877 a deed was given Celia Fisher, widow of Henry H. Fisher, for this tract of land, and the same is now (1906) the home of Mr. and Mrs. Joseph M. Beach, who own the property.

Though Mahlon Gore filed the first homestead application and Mr. and Mrs. Beach now own the property first filed in the United States under the free homestead act of 1862, they must divide honors with others in the matter of the first homestead in South Dakota. A party of anxious men, among them Frank Verzani, awoke the land officers at Vermillion at 4 o'clock on the morning of January 1, 1863, that they might make their homestead entries. Mr. Verzani was sixth in line at that hour and made homestead application No. 7. Seventh in the line of entry, and but a few hours behind Mr. Gore in making his application, Mr. Verzani wins his share in the honors of holding the first homestead by right of receiving the first homestead certificate for lands within this state. This certificate was signed by President Grant, is dated the 22nd day of July, 1872, and deeds lots 1 and 2 of Section 8, and lots 2 and 3 of Section 9, in Township 91 of Range 51, containing 173.70 acres. The homestead is located about three miles southwest of Burbank, in Clay county, and borders upon the Missouri river.

Frank Verzani was born in Florence, Italy, May 13, 1828, and, coming to Illinois, he was married on March 13, 1858, at Freeport, and soon after came to Nebraska with his young bride. He settled on the south shore of the Missouri, intending to cross to the Dakota side as soon as the Territory was organized. Here he kept a country store for a time, and had many experiences with the Indians. At one time while he was absent from home a stalwart redskin walked into the little cabin and coolly pointed his musket at the pioneer's young wife. She told him to point it at the cat, whereupon he aimed it at the infant in the cradle. The

frontierswoman kept her courage and smilingly asked him to point it at the cat, and he soon put the gun down, but stayed about the cabin until dark. Going to the door Mrs. Verzani talked as though she were conversing with her husband in hiding, and the Indian took alarm and left. On November 13, 1860, Mr. Verzani crossed the Missouri in a canoe. He landed upon the spot which he now calls home. It had been previously occupied by a squaw-man named Randal, who had built a comfortable log cabin, but had later followed the tribe in its move to the westward. Mr. Verzani at once moved his family into the little cabin on the Dakota side, taking a squatter's right to the land. Five days after their settlement in Dakota a son was born to them. Mr. Verzani still holds title to his homestead and makes his home upon the land.

In a report to the Department of the Interior, made three months after the opening of his office in Dakota Territory, Mr. Hill, surveyor-general, says: "The Territory presents unusual and remarkable inducements to those seeking a home in a new country. The lands are of the most fertile character, the climate healthful and agreeable, the water pure and wholesome. The capacity of the Territory as a stock raising country cannot be 'overestimated.'" From this we observe that even the southeastern portion of our state, now acknowledged to be as fine a farming country as is to be found anywhere, was once looked upon with favor because of its "capacity as a stock raising country."

From the time Mr. Hill opened his office in Yankton, in July, 1861, until the day of his retirement he continually sought for an appropriation and authority from congress permitting of the carrying on of a geological survey in connection with the linear survey, but in this he was unsuccessful. No doubt his efforts had much to do with the final organization of geological surveying expeditions in Dakota, but never has one been made within this state in connection with a linear survey.

For a few years after the organization of the Territory the progress of the surveys in Dakota was slow, due to the small appropriations made for the purpose by congress. This was due to the unsettled state of national affairs. However, a little was

done each year, and on May 23, 1866, when William Tripp received his appointment as surveyor-general, to succeed Mr. Hill, the public surveys embraced the southern half of Bon Homme, the eastern third of Hutchinson, and the eastern half of Lake counties, and the entire counties of Moody, Minnehaha, Turner, Lincoln, Yankton, Clay and Union. Practically seventy-five townships within these counties had been subdivided.

Connected with the surveys in the Big Sioux valley I wish to relate an anecdote of the work in that region as told by Moses K. Armstrong, one of the prominent Dakotans of the early days. This little story will give us an idea of some of the trials with which the early surveyors had to deal, besides the chances they took with the Indians. I will let Mr. Armstrong tell his story in his own words.

"During the first week of November (1864) we moved north into the region of the Pipestone creek, and on the seventh we completed our work by running the second standard parallel, and closing unto a post on the Minnesota boundary, marked seventy-six miles south of Big Stone Lake. We had now crossed the Fort Ridgely and Fort Thompson wagon road, and were about 120 miles northeast of Yankton, and nearly 100 miles from the nearest habitation of white men. The whole country had been recently burned over by Indian fires, that had run down from a great distance to the north. Fresh buffalo trails covered the prairie in all directions, bearing to the southwest. We were in the midst of a vast, black, boundless waste, unrelieved by tree, shrub or verdure, save an occasional winding of the Big Sioux river, which coursed its lonely channel through the burned desert. We were obliged to feed our cattle on bread and hardtack, and change teams each day. Some days we were unable to reach camp at night, and were obliged to lie down upon the ground, cold, wet, hungry and fatigued. In such cases, being unprovided with sufficiency of clothing to cover all, some were obliged to stamp around and keep warm while others slept. The last night on the work my bed was in a ditch on the prairie, between friends Meyer and Foster. The night was boisterous, and whenever we peeped out from under our blanket, longing for the appearance

of day, the sky rebuked us with its frosty stars, drifting snow-clouds and wailing winds. It was a dismal, dreary night for a little party of eight men. The next day we started homeward, passing within the holy atmosphere of the great red pipestone quarry. * * * Proceeding onward we encamped at night on the open plain, with neither wood nor water for man or beast. Again we fed our cattle hardtack. Starting at daylight, without breakfast, we reached Sioux Falls towards evening, in a snow storm, having traveled two days without water and lived upon frozen bread and bacon."

Regarding the work done after the early sixties, and its progress during that time, it will not be advantageous to follow its progress closely. The Sisseton reservation was surveyed in the late sixties, work was begun in the Black Hills in the seventies, and by the latter part of the eighties the greater portion of the country to the east of the Missouri river had been thoroughly surveyed. Since that time the work has been carried on across the river to the west, and today practically all the lands in South Dakota have been surveyed. A few resurveys remain to be completed, and then, as soon as the office work is finished, the records will be turned over to the state and the office of surveyor-general will be abolished.

It is interesting to note the accuracy with which many of the early explorers of this country located certain points within the state. Principal among these was Fremont, though Lewis & Clark, Warren and other, located many points which have since proved to be correct. The points which had thus been located astronomically by the early travelers were the guiding points for the drawing of the early maps. Intermediate places were filled in by navigators and travelers, but these have always been subject to change. A splendid illustration of the extent of such variations is that shown in Campbell and Walworth counties. These counties were created by statute before any surveying had been done in that part of the state. Their northern, southern and eastern boundaries were assigned for survey, the western boundary to be the Missouri river. Contracts were let under the guidance of the maps then to be had and the surveyors set about their

work. What was their surprise to find that the Missouri river was from six to ten miles farther east than the maps showed it to be. This cut down the amount of their contracts by several hundred dollars, and the counties are considerably smaller than they were planned to be. Among the points located which have proved to be correct might be mentioned Fort Pierre, Medicine Butte, and different points on the Dakota (James) river.

Another of the trials of the early surveyor was the demand made upon him to close his surveys to the military posts which were within his field of work. These small tracts had been surveyed without being connected with any definite points in the general land surveys, and many a surveyor has had to search long and hard to find the lines which he was expected to close upon. For this reason the early surveyor disliked to have a military post or reservation within the bounds of his contract, while to find one or more of the historic points located by Lewis & Clark, Fremont, Warren or some other early explorer was a source of great satisfaction to him.

Sometimes it was impossible for a surveyor to agree with earlier workmen as to the location of certain lines. When M. K. Armstrong carried out across the Red River of the north the tenth standard parallel of the surveys from Minnesota, and then ran the seventh guide meridian north to the international boundary line, near Pembina, he found that to reach the 49th parallel of latitude his line must run two miles over the recognized boundary line. He tenaciously stood by his work and measurements, and when the international boundary commission located correctly the 49th parallel it was found to be in exact accordance with Mr. Armstrong's survey.

^ In 1872 the railroads began building into the Territory, and the surveys were then rushed forward at a tremendous speed. When the Northwestern road was built to Watertown, there was not sufficient money appropriated to care for the surveying of the entire tract. Upon the advice of the officials, the railroad company deposited \$10,000 with the Commissioner of the Interior, and with this fund the remainder of their land grant was surveyed. The money was returned to the company by act of the

next congress. As surveys that summer were hurried through with all possible speed, it would not be surprising if some errors had crept in, but none of any considerable importance have been discovered.

As the country became more thickly populated in the eastern portion of the state the surveys were pushed westward, and here again, even to a very recent day, the surveyors met with the Indians in one kind of trouble or another. Some of these later collisions are amusing, though they did not appear in the least that way to the participants. Among these I wish to note the story of General Beadle's experiences in Spink county.

Leaving the settlements in June, 1873, the little party of surveyors journied northward, bound for the northern part of the Dakota River valley. After leaving the banks of the Firesteel they did not see a white man's residence in South Dakota. Having pitched camp for a night on the edge of the bluffs just east of the present site of Redfield, they spent a very pleasant night and were enjoying their breakfast when an Indian, clad in a blanket and leggins, came up the bluff to their camp. They fed him on the best they had and gave him some tobacco, and he quietly returned the way he had come. Crossing the mouth of Turtle creek, the surveyors had gone but half way to Snake creek—but a short distance—when about 140 Indians, men and women, waded the river at their fish dam and met the surveying party on the level bottom land, stopped them and demanded that they give up all their property and return whence they had come. General Beadle's party consisted of seven men and two wagons. It was necessary that a man remain with each wagon to drive, and this left but five to deal with the Indians. Not one of the party could speak Sioux, and they spent considerable time trying to argue with the Indians and explain to them that they were merely passing through their lands and had no intention of working on them, but in this they were unsuccessful. Bribery was tried and a goodly share of their provisions was given to the Indians but still they would not permit them to go on. Once, upon attempting to drive on, a stalwart Indian caught the bits of the horses in the lead, and then commenced to unhook the traces.

The General caught hold of him, whirled him around and pushed him away, then leveled his gun at him and signified his intention to shoot if the Indian again attempted to stop the team. Another Indian caught the lines of one of the drivers, which angered him so much that he leveled his rifle at the Indian, but was prevented from firing by a timely caution from the leader of the party. Then, with the five men acting as rear guard and walking backward behind the wagons with leveled weapons, the little cavalcade went on its way. The Indians made no move to attack, and the chief who had breakfasted with the surveyors in the morning rode with them and showed them a good place to cross Snake creek. The party continued its march until late in the afternoon before stopping to eat dinner, and for two nights guards were posted, to give warning of any Indian attack. These Indians were led by Drifting Goose, and their dealings with Mr. Thomas F. Marshall in his survey of this section in 1878 furnish us with another interesting anecdote.

Drifting Goose and his band occupied a stretch of land in the valley of the Dakota river reaching from the vicinity of Frankfort to the southern line of Brown county, and they had successfully held this tract against all efforts to survey the same. When Mr. Marshall arrived on the grounds with his surveying party, Drifting Goose at once set out to scare him out of the country, or, failing in that, to provoke the surveyors to some act of violence which would justify the Indians in driving them out by force. One day, when Marshall and his party were encamped on the James river east of the present site of Ashton, Zack Sutley, one of the party, was for some reason discharged from the service, and mounting a pony started for Yankton. He had gone but a few miles on his journey, and had ridden his horse into the stream to allow him to drink, when a party of Indians approached and made threatening demonstrations. He rode his horse out of the river and started hurriedly away. The Indians pursued him and continued their threatening. Sutley had ridden but a short distance when his horse stepped into a hole and both horse and rider were thrown to the ground. The Indians were upon him before he could arise, and seizing him they took their knives and

cut every stitch of clothing from his body, boots and all. Then turning him loose they amused themselves by firing uncomfortably near to him, being very careful not to harm him, while he sprinted for dear life across the prairie to camp. When Sutley reached camp he was so overcome with fatigue and fright that he was beside himself. Realizing that something must be done at once, Marshall set his men to work upon a line that ran directly through the old chief's village, and that night the surveyors pitched their tent within a few feet of the chief's tepee. Drifting Goose wanted to hold a council, but upon assembling it was found that none of the Indians could understand English and none of the surveyors would confess to understand Sioux. The Indian band set off in hot haste to Fort Sisseton to secure an interpreter, but before they returned the surveyors had completed their survey of the territory. Drifting Goose offered no further resistance to the survey of his lands, but he managed, through the general land office, to have them withheld from settlement until late in 1879.

While surveying in Brown county General Beadle came upon an unfinished log cabin and a small field of corn, but could find no signs about the place to indicate that any one had lived there for some time. He made note of the building and corn field and placed them upon the plat, and his note regarding the same was published in the St. Paul *Pioneer-Press*. The settler who had planted the field of corn and was driven from the country before he could complete the construction of his cabin read Beadle's account in the *Pioneer-Press* and secured title to his land. On another occasion, when the general and his party were on a tour of inspection of surveys, they were caught in a blizzard while in eastern Spink county, and were compelled to seek shelter in what is now known as Oak Gulch, near the edge of Clark county. Here, under the protection of the bluffs of the Dakota river, with plenty of wood for fuel and an abundant supply of provisions, they withstood a two days' storm.

The prairie fires were a terror to the surveyors, and they were quite common. When at work in the field, if a smoke was noticed and the wind was in the general direction of camp, the

full crew would quit work and rush to the camp, where they often had a hard fight—with probably nothing better than sacks to fight the flames—to save the outfit. It is remarkable that so few outfits were thus destroyed. Indians were often suspected of purposely starting the prairie fires in order to drive the surveyors from the field. Another of the difficulties sometimes met with in the field is illustrated by the following brief story: Surveyors were often obliged to cut their way through dense growths of underbrush along the banks of streams. One field deputy sent his notes to the office showing the point where he had begun the day's work on a certain creek, and the only further notes for that day were written upon quitting for the night. The notation was, "Same damned creek."

Mr. Austin while surveying in the White river district in recent years experienced considerable trouble from the Indians going quietly about after him and obliterating his landmarks. This fact undoubtedly accounts for the necessity of resurveys in certain localities.

In 1890 a young deputy who was very religious found that, in order to finish his contract within the season, it would be necessary for him to work on Sundays. He deferred doing so, however, until he could receive instructions from the surveyor-general's office, and wrote there to inquire if it would be all right to take celestial observations on Sundays. He was promptly informed that of all days in the year there were none better suited to the taking of celestial observations than Sundays.

The late Miles T. Wooley tells an amusing story of an encounter with Indians. About the year 1870 he was surveying the seventh standard parallel north though what is now Spink county. The Indians were in an ugly mood, and the country in which he was working was being daily traversed by hostile bands passing to and from the Sisseton and Winnebago reservations. The Indians persistently insisted that the country should not be surveyed, ordered Wooley to leave the country, tore down his corners, tried to drive off his stock, and aggravated the party in every possible way. The surveyors had not been long in the territory before they became keyed up to a high nervous tension. An

incident soon occurred which afforded the majority of the party considerable amusement, though it might have ended seriously for two of the men. They were crossing one of the branches of Turtle creek, which runs through a little valley formed by the creek bluffs, and the chainmen had just set a point for a corner which came on the east bank of the creek, when, leaving the two moundmen to build the corner, the rest of the party worked on across the creek and up the west bluff. They scarcely reached the summit of the west bluff when they heard a fearful cry from one of the moundmen, and looking back they saw two Indians on horseback, decked in war paint and feathers, descending at a gallop toward the two moundmen. One of the men was already in full flight toward the remainder of the party and the other stood by the mound spade in hand. But he had heard the cry of warning, and looking around to ascertain the cause saw the two bucks. Though apparently appreciating his danger, he turned and shouted: "What shall I do with this spade?" "Stick it in the mound and let it go to hell, the whole Sioux Nation are after us!" came the answer from the man on the run. The advice was promptly followed, and both men escaped unhurt, but badly frightened.

Mr. George A. Fessenden did considerable work on the original surveys west of the Dakota river. He entered the Territory in the spring of 1881 and worked that season with a surveying party between Huron and Pierre, but at that time there was not a town between the above named places and scarcely a "shack" was to be seen on the prairie. Becoming sick during the summer Mr. Fessenden was obliged to leave the field for the season, and when he returned in the spring of 1882 he was amazed to find a goodly settlement nearly every ten or twelve miles along the line of the railroad and a house on nearly every quarter section that had been surveyed the previous year. Much of the land yet unsurveyed was taken at that time under the squatter's rights. Many settlers who arrived the preceding fall had broken large tracts of land, and it was hard to realize that this could be the same country that but a year previous presented one wide expanse of rolling prairie, unbroken by houses or other marks of civilization.

A few years later, in the fall of 1884, after completing a surveying contract in Campbell county, Mr. Fessenden drove across country from that county to Huron, a distance of about 150 miles, through a country which he and his party had surveyed but three years before. The surveyors who worked in this territory during the summer of 1881 had not seen a single settler until late in the fall, but when Mr. Fessenden made his drive through the same locality three years later he found a thrifty community. On every hand were to be seen innumerable stacks of grain, and everywhere the farmers were threshing, gathering in their corn and potatoes, and plowing their fields. The impression of this rapid transformation from a desolate prairie, over which roamed the hostile Indian bands, to a thriving settlement with a population numbering into the thousands was one to remain long with those who were in position to observe its extent.

On the Pine Ridge Indian reservation, in 1901, Chas. W. Bates and his party first came in contact with the Oglala Sioux. Along White river and White Clay creek were located the bad men of the late Sioux war. They were opposed to the survey of the reservation, knowing that it meant the approach of the allotment of the lands in severalty, and would destroy the surveyors' corners and marks as often as possible. During the latter part of July a young Indian came into the surveying camp and, after making himself agreeable—by begging a smoke—informed the surveyors in a confidential manner that there was to be a big council in a few days, when the chiefs would take steps to force the palefaces from the reservation. He advised them to leave the country at once to avoid trouble, but his advice was not accepted. He asked if the party were supplied with guns, and was told that they had one old worn out shot gun and that they considered that sufficient. He left camp with the final warning that he washed his hands of the whole affair if the surveyors were so stubborn. Nothing more was heard of the matter.

The only serious trouble, bordering on warfare, which Mr. Bates' party experienced happened near the bad lands. The teamster had been sent with the supplies down a dim trail through a piney canon to reach the valley below, while the rest of the party

were at work over the hills. About an hour after his departure the driver returned to the top of the hill and told Mr. Bates that road did not lead to the valley. A few days later he admitted that his way had been blocked by a big fat squaw with an ax. Her actions plainly told him to go back whence he had come and hurry, and he lost no time in obeying her commands.

Whenever the surveying camp was within easy walking distance of an Indian settlement a large and hungry crowd of redskins would always be on hand at meal time and beg for everything in sight. One day an old, white-haired, wrinkled squaw came to the mess tent for something to eat, and asked for food for her grandmother who, she said, lived close by. Mr. Bates thought the grandmother would bear investigation and accordingly went to see her. He was thoroughly convinced of her right to the title which she bore, for she was blind, deaf, and so dried up that it was impossible to even guess at her age. Judging from the appearance of the granddaughter Mr. Bates places the old woman's age at not less than 125 years.

From the view of the sightseer the White river band lands are beautiful. They rise in fantastic shapes of ridge and spur and sheer white walls from two to four hundred feet high. They are broken in every direction by canons, sometimes so narrow as to be almost impassible and at other places broad and smooth like a pavement. They are generally capped by fertile timbered soil or soft sandstone, while the lower portions are formed of blue, black and yellow gumbo, in which are bedded many fossils and curiously shaped formations containing various minerals. Narrow vertical seams of bluish quartz run in all directions and when the soil is washed away they are left standing like knife blades, or are broken in fragments which strew the ground below. From a distance the bluffs appear absolutely inaccessible, but on close inspection a way of ascent is usually to be found. Here a spur is found up which a man can walk for a short distance and then the path narrows to a sharp ridge with vertical sides, and it becomes necessary to straddle this and hunch along. Often near the top of the ridge is found an obstruction ten or fifteen feet high and it then becomes a matter of ropes, or of clinging to the

sides by sheer strength of pressure. If a canon is chosen for the ascent it will narrow to a foot or two in width, twisting in and out until all sense of direction is lost. This pathway is partly open and partly through low tunnels and the final climb at the head of the canon may have to be made on one's back, with hands and feet against the sides. When a person is carrying a transit or other tools or instruments, every foot of the way is a fright, and the beauties of the views are lost to the surveyor who has to figure continuously how to run a straight line over a place he cannot reach.

It would not be right to allow this opportunity to pass without calling attention to the erroneous belief which rests in the minds of many South Dakotans regarding the efficiency of the early surveys. Many of us have heard stories of how the early surveyors robbed the government and the people by doing their work in a careless, inaccurate and hasty manner. Some of the older settlers are wont to tell stories of how the early surveyors—"the fellows who got the fat jobs from the government through their pull with the men in power"—would sleep late in their comfortable camps on the banks of some of the many creeks coursing through the prairie country, and, after a hearty breakfast in good old camping style, would drive to a neighboring hillock and load their wagon with "nigger heads" preparatory to the day's work. And then how they tried a bit of cloth about a spoke of one of the wagon wheels and, with one man holding the compass whereby to direct their course across the prairie, another counted the revolutions of the wheel as a means of measurement. When a corner was reached, a stone was rolled from the wagon and the party drove on, and thus easily and quickly was the work accomplished which they were sent out to do. It is a great satisfaction to be able to deny that such was the manner in which the surveyors did the work entrusted to them. From all the information at hand not a single thing points to the truth of such stories as are above cited. On the contrary everything tends to show that the surveyors of this state displayed an honesty and integrity in their work, when hundreds of miles from the nearest white settlements, that would put to shame the accomplishments of some of the present day servants of the people. True, a few errors occurred, and in a few cases these were due to carelessness, but never anything so gross as the measuring of distances

with the use of the cloth and wheel. This system of measurement was in common use among the early settlers and proved of great value in assisting them to locate the corners of the original surveys, but by surveyors—never.

Some of the slight errors which it has been necessary to correct by resurveys are accounted for by the variations of the needle, while others are due to the fact that, in running guide meridians, observations were taken and the proper angle noted, and then some landmark was located in the distance and the line run to that, instead of being run by the parallel. Where the landmark chosen to close to was some miles distant from the starting point, this method resulted in serious error. However, but one surveyor is known to have followed this method, and he did not do very extensive work within the state.

And regarding the comforts of the camp and the pleasures of the work, it is only within recent years that the surveyor's life could possibly be considered one of safety. It never has been easy work. I can illustrate the fascination which it held for many of the early workers in no better way than to quote from a letter which was received in response to a request for information on the subject of early surveys and incidents connected with the same: "Sorry to say that I never saw anything amusing connected with the prairie surveys. It was only bread and butter that made me keep connected with them as long as I did, and it was pretty poor bread and no butter sometimes at that."

Besides the actual work of the survey the surveyors made careful notes of the character of the soil, and did much to advance the interests of the state. Whenever a little homestead cabin was found upon a quarter section, note was made of it, and in this way many of the early settlers were assisted in securing title to their lands. Ever in advance of the settlements, these forerunners worked steadily to examine and correct the vagueness and inaccuracy of early maps of the country. They are certainly deserving of a place in history, for their work was arduous and was attended with many dangers and difficulties, but on the whole it has been very thoroughly and accurately done. Space will not permit of personal mention of these sturdy workers or even a listing of their names, as they numbered well into the hundreds.

Separate mention has not been made of the surveyors-general, with the exception of the first two, as their work has been of a

sameness throughout the entire administration of that department. It is worthy of note that work in the office of the surveyor-general has always been most efficiently handled, and we find the high standard of the field work duplicated here. One man connected with the office is worthy of special mention. Mr. Hargrave Kippax, familiarly known among his associates as "Kip," has held the position of chief draftsman in the office of the surveyor-general for the last twenty-five years, and is today to be found at his desk in the office at Huron. Throughout the administration of this office by five different men, Mr. Kippax has written the instructions for, and examined the returns of, the deputy surveyors who did the work, and it is doubtful if there is in the United States a man better qualified to fill the position than Mr. Kippax. A man of large experience in field engineering previous to accepting the position he now holds, modest, courteous and perfectly fair, but strong for the right, he has returned deputies to the field to make corrections, still thinking that "Kip" was a good fellow. Through him, probably more than through any other man, the high standard of the surveys in South Dakota has been maintained.

In conclusion I wish to express my appreciation of the valuable assistance rendered in the compilation of this little story by many of the men who braved the dangers of the frontier to mark South Dakota's section corners.

Appended is a list of the surveyors-general, with the dates of their commissions:

George D. Hill, March 28, 1861.

William Tripp, May 23, 1866.

William H. H. Beadle, April 17, 1869.

William P. Dewey, December 13, 1872.

Henry Esperson, April 25, 1877.

Cortex Fessenden, May 10, 1881.

The preceding were commissioned during the maintenance of the office at Yankton. It was removed to Huron July 2, 1883, and since that date the following men have been commissioned:

Maris Taylor, May 27, 1885.

Boetris H. Sullivan, July 18, 1889.

Richard B. Hughes, January 20, 1894.

Frank A. Morris, January 12, 1898.

Dr. C. B. Alford, present member.

SURVEYING ON THE CHEYENNE.

BY CHARLES B. CLARK.¹

A complete history of the surveying operations in western South Dakota would be a tale of adventure and hardship which would surpass the imaginings of a Rider Haggard. The surveyor came with the advance guard of civilization. Close in the wake of the weather-beaten pioneer and the hard-shooting frontier soldier tramped the quiet, keen-eyed engineer with his transit on his shoulder and his little squad of assistants trudging sturdily at his heels. Long before the warwhoop of the sanguinary Sioux had died away the surveyor was pushing his way along our western state line with one hand on the butt of a revolver and the other on the tarnished brass set screws of his transit.

Ever since that far day he has been at work, busily blazing the trail of the oncoming homeseeker. He has dragged his reeling mess-wagon over many impossible hills, through leagues of viscid gumbo and across swollen rivers. He has tramped many thousand miles with his heavy transit on his shoulder, sticking doggedly to his work through heat and cold and hunger and thirst. In the Bad Lands he has scaled steepes where it was almost necessary to climb with his finger nails and has balanced his tripod on the sharp crests of towering clay ridges where a slip of his hobnailed boots would mean death or grave injury with no doctor within fifty miles. In the Black Hills he has hewn his way through miles of all but impenetrable thickets and has flung his line from rim to rim of many a dark canyon.

The pioneer surveyor has neither highway nor inn. His road is the "line" and he follows its undeviating course over rolling prairies, along precipitous mountain slopes, across yawning canyons and through tangled forests. His home is a soiled tent

1. Charles B. Clark, was born at Albia, Iowa, in 1883, the son of Rev. Charles B. Clark, D. D., now of Deadwood. He graduated from Deadwood High School in 1902 and spent the succeeding year in Wesleyan University at Mitchell, and then put in a year in Cuba. Returned to Deadwood in 1905 and engaged in the survey of which he writes. He is now in Arizona engaged in newspaper work.

pitched somewhere under the lofty pines of the hills or by some lonely bad lands' spring. He quits the beaten highways and goes out to make new ones. His work is a daily struggle with unsubdued nature and he comes out of the battle bronzed and gaunt and worn but nearly always victorious.

The surveyor's life is both simple and strenuous. Unremitting work, rough fare, and constant exposure to every whim of the elements are his daily portion. His life makes him a broad, well rounded man. He must possess both brain and brawn and carry in his head both the learning of a college man and the outdoor wisdom of a child of nature.

Sometimes in his well stocked mind two such contradictory elements as science and superstition will be found side by side.

Despite his education a surveyor generally comes to have a firm belief in "luck." His luck runs in "streaks" much like the old superstition of the three successive fires. Thus if the flagman of the party is kicked by his horse one day the chief frowningly anticipates that a chainman will be bitten by a rattlesnake on the next; or if the cook burns a mess of beans on the bank of a river the mess-wagon may be expected to stick in the quicksand while making the ford.

Occasionally one of these streaks of luck, good or bad, will endure throughout a whole trip. Sometimes everything goes merrily. The weather is perfect, the country is level, the members of the crew are strong, well disciplined and willing, the cook is a master of his art and at every camp is a spring of pure water. Again, and this more frequently, everything goes wrong. Rain, high water, gumbo and mosquitoes each take a turn at trying the strength and patience of the party; the country is rough and discouraging and the water is bitter with alkali. Under these trying circumstances the men become weak and peevish, the flagman sulks and delays the party, the chainmen stop their work to quarrel, the cook makes indigestible messes in his smoky tent and even the chief is stern and unsociable. The completion of the work on a trip of the latter kind is largely a matter of a dogged endurance with no enjoyment about it except in the stock of reminiscences one is provided with after it is over. The Pine Ridge Indian

reservation and the Black Hills forest reserve have been the scenes of many such trying piece of surveying. The heat and dryness of the Bad Lands and the ruggedness and thick forests of the Hills have been responsible for much patient endurance of real suffering and much impatient use of bad language on the part of the surveying fraternity.

A fair type of a "hoodoo" trip was that of O. H. Southmayd² of Deadwood when he surveyed ten townships along the Cheyenne and White rivers in the summer of 1905.³ This expedition, of which the writer was a member, endured a most unusual and persistent run of bad luck during the first two months of its summer's work. 1905 was a rainy year and rain was our principal grievance. It soaked our provisions, it filled our drinking water with a fine silt that would not settle, it rotted our boots and made us so footsore that a day's work was a long agony. The roads were in such a condition that often we were compelled to stop every half mile and cut the accumulated gumbo out of the wagon wheels with spades and the horses became so over-worked that the men of the party were required to help push the loads up every hill. The Cheyenne river and its tributaries were so high that some of us narrowly escaped drowning in the swollen fords and we were wet so continuously that the jokers of the party solemnly declared themselves to be developing webs between their fingers and toes. Thunder showers burst upon us suddenly at the most inopportune times; hailstorms caught the line party miles from shelter and beat them unmercifully, and tempests of wind and rain fell upon our camp at midnight ripping our canvas roofs from over our heads and turning us out, half clad and bare footed to chase our tents over the cactus.

With the excessive rain came the mosquitoes. In the low, wet flats of the Bad Lands they bred by the million and came up

2. Orville H. Southmayd, a native of Missouri was born in 1872. Settled in Deadwood in 1883, and graduated from Black Hills college, at Hot Springs in 1898 with degree of B. S. He is a deputy United States Mineral Surveyor for both South Dakota and Wyoming, and is also a contracting engineer upon government surveys.

3. This survey was upon contract No. 161 and included townships 37, 38 and 39, ranges forty-seven and forty-eight; townships 37 and 38, ranges 44, 45, 46 and 47; and townships 43, ranges 43 and 44, west of 6th Meridian and within Pine Ridge Reservation, being in vicinity of Folsom postoffice.

in clouds to torment man and beast. They settled on us in swarms during the day, biting us viciously as we worked and even getting into mouth and nose and half strangling us. Then they followed us to our tents at night and would not let us sleep.

Under these continual annoyances our dispositions soured and our tempers were filed down to a hair-trigger quickness. With some parties such a series of misfortunes might have culminated in a general fight but we were an unusually congenial and friendly group and the peace, though sometimes strained, was never broken.

With August came the longed for turn of luck. Along the White river we came upon sunny days and level country. By this time we were well hardened to the work and being on the home stretch with time to make up we "stuck out" our long miles eagerly from dawn till dark. Thus we regained the days lost during the early summer, finished our work and came into Buffalo Gap triumphantly on time.

It was a memorable summer to all of us and its trials were of the kind which are pleasant to remember when they are past. I will recount one incident that will give some idea of the trials and dangers which beset a surveyor in the big, undeveloped empire west of the Missouri.

On the first day of July we were working near the Cheyenne river in the northwest corner of the reservation. In the morning the line party went out to work in light marching order with only one moundman and no line-wagon. It was intended to move camp during the day and as it would be necessary for the wagons to cross the swollen Cheyenne twice to reach the new campsite, the chief thought the extra moundman might be more useful helping the cook and teamster move than he would be in the field.⁴

With us of the line party the morning was without particular incident. The air was fresh and cool after a rain of the day

4. The personnel of the party was as follows: Flagman, James M. Dobson, son of Rev. J. O. Dobson, of Mitchell; Moundmen, Harvey Rucker, a veteran cowboy of Deadwood, and Philip Laurson, of Howard, a student of the Dakota Wesleyan University; Chainmen, Charles B. Clark and Edgar K. Ruth, of Mitchell; Teamster, John Parkins, of Deadwood; Cook, Dick Goddard, son of Commandant Goddard of the Soldiers' Home, Hot Springs. On this day Rucker was with the party and Laurson remained at camp to assist cook and teamster.

before and, though somewhat footsore, we worked cheerfully. The flag-man cantered ahead on horseback, dismounting on the higher points, "lining in" to the signals of the chief and marking the point of the new "set up" of the transit with a little pile of sod. After the chief tramped the chain-men, measuring off the miles and pausing every chain length to thrust one of their iron pins into the ground and give their monotonous cry of "Stick stuck." The mound man followed with his spade marking the corners sufficiently to be able to find them later when the time came to "build" them. In this order we worked during the morning, swiftly traversing a reach of rolling prairie, toiling over the crumbling clay of a piece of bad land and finally climbing a steep sandy slope to the edge of a high table land where we stopped for dinner.

We sat down in the sun and ate the lunch which the mound-man had been carrying on his back during the morning. Washing down our food with grudging "swigs" from our canteens and then after a brief rest started our line again. The top of the table land carpeted with short, soft buffalo grass was as smooth as a lawn and at the sight of such good running the whole party soon warmed to their work. The flag-man traveled from point to point at a sharp gallop and the chain-men going almost at a trot kept close to the chief's heels and sometimes passed his transit. As the afternoon wore on a cloud covered the sun and thunder muttered in the distance but aside from remarking resignedly that our regular daily rain was at hand we paid little attention to it and only worked the faster in the grateful coolness. By this time the chain-men were timing themselves for a record mile and the whole party were striving with friendly rivalry to distance one another, so the storm approached and the air darkened unheeded. Suddenly there came two brilliant and almost simultaneous flashes of lightning and a double peal of lightning that startled all of us.

"Rather sharp lightning, that" remarked the chief as the head chain-man came up, panting.

"Yes sir" replied the chain-man, passing his chain under the tripod as he spoke, "but we're going to make this mile in less than fifteen minutes."

That record mile was never finished however. At this moment came a blinding, blue glare and a crash of thunder that shook the ground. The chief stood as if frozen with his hand half way to the set screw of his transit and his two subordinates staggered under a shock from their steel chain that numbed their right arms to the elbow. The flag-man ahead wheeled his horse and came plunging back along the line.

"Gee!" he cried in a thin voice as he drew in his horse "the lightning struck right in front of me."

"Drop your tools." cried the chief, "Get away from that horse and lie down. This table is the highest land for ten miles around and all the lightning in the country will strike here."

We obeyed orders with alacrity and were soon stretched on the buffalo grass. The electrical display which followed was grand but rather disquieting. Lightning in distant streaks is pretty but when a bolt is near enough to split a broad, brilliant crack in the firmament and kick up a fountain of sod a few hundred yards away it makes one nervous. We lay on the ground under that tremendous cannonade of heavenly artillery trying hard to look unconcerned but there were not five more nervous or uncomfortable men in the United States than we were at that moment. I found myself wondering how badly a stroke of lightning would hurt and evidently a similar thought was in the mind of the flagman next to me as he turned a face, lit with the almost continuous glare, in my direction and said, "We'll all be spoiled by the time they find us." It was a sufficiently ghastly remark but our flagman was frank, fearless and something of a "character."

The lightning continued for several very long minutes and then came the rain. It was a heavy downpour of particularly cold water that beat through our thin shirts almost instantly and set our teeth to chattering. As the danger from lightning abated we sprang up and wrestled with one another to get warm and then, as the rain continued so heavily as to make further work impossible we took up our tools and started out to walk three miles to our new camp. The prairie was inches deep in water and the rain streamed from our hat brims but having so recently

escaped what had seemed real peril we trudged along cheerfully comforting ourselves with the thought of the dry clothes and hot supper awaiting us.

The proposed site of the new camp was a ruined log cabin set on the edge of a bluff above a certain dry creek. As we mounted a rise in the prairie and sighted the cabin through the rain we looked eagerly for the white tents. They were not in sight. We hurried to the brow of the bluff and looked down at the spring below. Then we looked at each other blankly.

"It's just our luck," muttered the flagman. There was no glimmer of white tent walls and our rosy visions of warmth and good cheer were swallowed up in a grim vista of driving rain and bare hills and a muddy, rain-fed torrent raging along the gulch below. Evidently some accident had befallen the wagons and we were doomed to one of those experiences most dreaded by surveyors, a "night out."

An outdoor life soon teaches one to make the best of things and we wasted little time lamenting. We canvassed the features of the situation briefly and they were discouraging enough. Night was falling cold and rainy. We had no idea of the whereabouts of the wagons. Probably they were miles distant if not at the bottom of the treacherous Cheyenne. The nearest house was ten miles away over a rough and trackless country. We were tired and hungry. Fatigue and hunger were bearable, however, but the cold wind which was driving the rain through our thin clothing was another matter and a night of such exposure might mean death to some of the party. Warmth and shelter of some kind were desperate necessities and in our extremity we turned to the old log cabin.

It was an ancient, ruinous affair built of unhewn cottonwood logs and had evidently been uninhabited for many years. Most of the dirt roof had long since fallen in but at our corner a section of it some six feet square still remained. The floor which had never been anything but dirt was now soft mud. Altogether it was a most uninviting bedchamber, but we were not inclined to be squeamish and felt grateful to get out of the wind.

There was now a hasty search for matches. One by one

we emptied our pockets but our matches had long since been reduced to soaked, headless splinters. We had begun to despair when my fellow chainman took a little tin box from his pocket and triumphantly produced two dry matches. Then we fell to work and made a pile of dry shavings under the part of the roof which was still intact. With infinite care we scratched a match and shuddered as we saw it sputter an instant then flicker and go out. We sought out a piece of old iron which was dry on the under side, gathered closely about to keep off the wind that blew in through the sashless windows and then the chief, taking our last match gingerly in his wet fingers, drew it slowly across the dry iron. It snapped spitefully and then burst into a clear flame and a moment later we gave a yell of joy to see the fire leaping up among the kindling. There was an old corral near the cabin and this we demolished, shoving the long cottonwood poles in through the window to feed our fire and soon the flames were roaring up nearly to the blackened rafters. It was now quite dark and we proceeded to make ourselves as comfortable as possible for the night. Our fire was a blessing but we found it impossible to warm more than one side at a time. The wind wailed through the old shack and our fragment of roof leaked in a dozen places so we were compelled to change position frequently for the sake of variety to dry a wet spot while we allowed a dry one to get wet. Our stomachs were very empty and we remembered with remorse that we had thrown away half a loaf of bread at noon. We ransacked our lunch bag in the hope of finding something left from dinner. There was nothing to eat but we discovered three dish towels. These were nothing but pieces of cheesecloth and, like everything else about us, were soaked but in our present circumstances they were not to be despised as wearing apparel. The flagman wore a flannel shirt and the chief had a vest so the three cotton shirted members of the party seized the wet towels and wrapped them about their necks.

We were quite cheerful. We said little about the future, dismissed the problem of the missing wagons and devoted our time to keeping one another in a good humor. Most of us had been on the survey before and this led to many harrowing reminis-

cences of former hardship. We made comical jests about our present discomforts and freely criticized one another's appearance. One of the chainmen fished a small sack of water-soaked tobacco from his pocket and devoted a half hour to patiently drying it before the blaze under a heavy fire of facetious comment and suggestion from the rest of the party. Then he divided his treasure with the flagman and they puffed their pipes contentedly while those who did not use the weed regarded their evident enjoyment with some envy. To preserve an atmosphere of cheerfulness we sang all the songs we knew and parts of some we didn't know. Our repertoire included everything from revival hymns to drinking songs though the favorite of the evening seemed to be the old plantation melody beginning,

"It rained all day the night I left
The weather it was dry
Sun shone so hot I froze to death,
Susannah, don't you cry."

Gradually we grew quiet. The warmth of the fire on our weary bodies and its heat and glare in our eyes made us sleepy. The chief stretched his lean, muscular form on two hard cottonwood poles and fell asleep. The flagman slumbered sitting upright against the logs with his head on his breast. The others dozed uneasily in various cramped positions in the trampled mud about the fire and finally we were all lulled to sleep by the moan of the wind and the steady drip of the rain and the low roar of the swollen creek in the gulch below.⁵

Morning broke gray and dreary with the rain still falling. We woke shivering, stretched our stiff limbs, rubbed our smarting eyes and grinned at one another mechanically. Then we bade a reluctant goodbye to the warm embers of the fire and started out in the gray dawn toward the Cheyenne. We were stiff and weak from hunger but the incessant rain whirled before the cold

5. This was the phenomenal storm which caused so great destruction of life and property along the Teton, or Bad River, and destroyed a portion of the city of Fort Pierre.

wind, drove us on like a whiplash and we hobbled along at a good pace. We crossed a few miles of wet prairie and then skirted along the bleak bluffs of the Cheyenne. Now we stopped often to peer eagerly through the rain at the river bottom, hoping to distinguish the gleam of our tents among the trees, for we thought that if our outfit had not been overwhelmed in the river the day before it must be camped near one of the two fords. As we were working our way along a steep, slippery hillside the man in advance suddenly gave a yell of joyous surprise. We hurried forward and then yelled in unison for among the trees not a half mile away we could see our own cook tent with a wisp of smoke blowing from its stove pipe. The flagman drew his revolver and emptied it into the air. Then we saw three figures emerge from the tent, there was a puff of white smoke and the report of a rifle came faintly up the wind. Evidently they were all safe and on the lookout for us. For the time we forgot our weakness and went plunging down the muddy hillside, our imaginations portraying the delights of warm blankets and sizzling bacon and steaming beans. We waded swiftly across the drowned bottom-land, ran through a belt of trees and then came to a sudden standstill. We had failed to reckon with the Cheyenne. We were on one side of the river and our dry blankets were on the other while a muddy torrent two hundred yards wide raged between.

Some of us sighed, others swore, according to our respective principles or lack of them. Our three camp men stood on the opposite bank and regarded us compassionately while we shivered and gazed at them and their snug tent wistfully. The roar of the river made communication out of the question.

"Its no use," said the chief finally. "We can't fly. There's a ranch house on this side of the river just outside of the reservation. We'll go there."

He shouldered his heavy transit and trudged off through the mud and we followed silently. Our knees were beginning to give from weakness and the effort to keep going left no strength for talk or jest. We toiled across a mile or two of river bottom where at every step we plucked our boots out of mud and water six inches deep and then climbed weakly up

the bluffs to the easier walking of the prairie. Every particle of our cheerfulness was gone now and its place filled by a grim, stoical endurance. We were becoming more and more conscious of the fact that we had not tasted food for nearly twenty-four hours. Every man walked limpingly with his face set in a grin of pain. Our feet were made so tender by the continued soaking that sometimes the water that oozed from our boots at every step was tinged with red. Still the pitiless rain drove us on though the animal heat in our starved bodies responded but slowly to our efforts to rouse it. We staggered across the last few miles wordlessly, forded two creeks whose muddy waters swirled about our waists, crawled through the fence that marks the boundary of the reservation and then broke into a feeble yell at the sight of a big log ranch house with a hospitable flag of smoke blowing out from its chimney.⁶

Our troubles were over for the day. The two cow men who lived on the ranch received us with all the big hearted hospitality and kindness of the cattle country. They were nearly out of "chuch" but such as they had we were heartily welcome to, so we consumed a vast mound of baking-powder biscuits, a kettle of rice, many slices of bacon and hot coffee without end. Then, full to repletion, we spent the afternoon dozing and steaming about a red hot cookstove.

Our chief was very anxious to rejoin our outfit and get to work and, after some discussion, one of the obliging cowboys announced that he had a horse that was a "plumb good swimmer" and volunteered to cross the river and bring a boat over from a certain ranch three miles below.

This was done next morning with considerable strenuous exertion and the braving of some peril on the part of the cowboy. The boat was a flimsy affair, about nine feet long, flat bottomed, narrow and leaky from long disuse. It could not possibly carry more than three men in that rough, powerful current and our chief regarded it thoughtfully for some moments before giving any orders.

6. This ranch is owned by Silcox Brothers, and it was Robert and Benjamin Silcox who showed hearty hospitality to the bedraggled survivors.

"Can you swim?" he said finally, turning to me.

"No sir, not a stroke," I replied looking somewhat apprehensively at the driftwood plunging over the big riffles in the middle of the river.

"Can you?" he asked the flagman.

"None to speak of," was the reply.

"Well," said the chief, "you two men take the transit and tools and go back to the ranch and wait till I send for you. The other two men can swim and I'll cross in the boat with them."

The flagman and I did not make the slightest demur at this order. I might say here that the chief himself could not swim but he was one of those admirable commanders who will never ask his men to undertake anything which he is not willing to share with them.

The three voyagers pulled off their boots and took their places in the boat, the chainman in the bow with a spade, the chief amidships with an awkward paddle fashioned out of two-by-four scantling and the moundman kneeling in the stern with a branch of driftwood in lieu of a steering oar. We shoved them off and watched them anxiously as they paddled their reeling craft out into the river. All went well for fifty yards and then the current snatched the boat and sent it whirling helplessly down stream. We could see the three men working desperately at their makeshift paddles but they seemed to make no headway and soon drifted down till they were little more than a dancing speck on the water. The current now seemed to veer and swept them in toward a low point of land a mile down the river.

"If they don't land on that point," remarked the flagman, "they probably won't land at all. The boat must have leaked half full of water by this time and if they miss the point the current will carry them out to midstream again."

We set up the transit hastily and focussed the telescope on the distant point. The men evidently saw their chance and were putting all their energy into the work but it was evident that they could not make it. Just as they were about to drift out of sight around the point we saw them leap out into the water waist deep, clutch at some trailing willows and pull themselves up the bank

while the capsized boat went on down stream. Then the flagman and I each drew a long breath of relief and shook hands gravely.

There is little more to tell. The cowboys had gone to town for provisions leaving nothing in the larder but a sack of flour. The flagman and I lived for two days on biscuits, spending our spare time in strenuous but unsuccessful efforts to milk a wild range cow and thus supplement our scanty menu. It was all of a piece with our usual luck. On the third morning our chief and my fellow chainman spurred two big saddle horses into the river and came to our rescue. An hour later we were home again. The camp was struck, the bed wagon had already started down the river road and the mess-wagon was ready to start. It seemed as if we had been absent for months and the party was as happy as a reunited family. The flagman and I were hungry so the cook tossed us a can of tomatoes and a mince pie and we sat on the mess-wagon and ate smilingly, pausing between bites to exchange good natured badinage with our long lost comrades. We discussed our woes and found that all of us were desperately footsore while some had colds and touches of rheumatism.

"Aw, well," said the cook soothingly, "you fellows will have it easy for a while. It'll take us three days to get back across the river onto the Reserve and till then you won't have anything to do but loll around on the wagons."

At this moment the chief came riding up on his black horse with brow wrinkled in a frown of annoyance.

"The bed wagon's stuck," he announced, "the gumbo's so bad some of you will have to follow each wagon and keep the mud cut away with spades and be ready to give a shove on the hills. I'm sorry," he added as he noticed our long faces. "I know you don't feel good but with all this bad luck we'll just have to keep moving or we won't get through by next Christmas."

We did not whine or swear. We shouldered our spades quietly and hobbled down the muddy road. We were becoming callous to tribulation and our state of mind was something between the grim stoicism of a tortured Indian and the patient resignation of a martyr. There was only one remark made.

"It's just our luck, growled the flagman.

Such is life on the United States Public Land Survey. The work will soon be finished. The vast plains of the range country and the pine-clad slopes of the Hills are dotted with corners that will mark the boundaries of future homesteads. The sturdy pioneer and the hostile Indian long since passed into history. Now are passing the hard riding cow-puncher and the stage-coach and with them will pass the pioneer surveyor and his ragged, sun-burned workmen who for so many years have labored, making smooth the course of empire in western South Dakota.

CHAS. B. CLARK.

SOME SIDELIGHTS ON THE CHARACTER OF SITTING BULL.

BY DOANE ROBINSON.

Perhaps the character of no other American who has achieved as great fame has been so generally misapprehended as has that of Sitting Bull, high priest of the Hunkpapa division of the Teton Sioux. In the popular mind Sitting Bull was a great warrior, leading his people in the bloody conflicts with the whites in which they were engaged in the days of his middle life. On the contrary, he never achieved fame as a fighting man among his own people and after he had established himself as a man of power, never personally took part in a battle.

He came of low caste parentage. One must understand how large an article caste is in the affairs of the Sioux to comprehend the force of the statement, and to realize how handicapped young Sitting Bull was in his efforts to win distinction. It has been said "there is as much caste among the Sioux as among the Hindus." This, of course, is an extreme statement; a real exaggeration, but there is nevertheless a strong distinction maintained between the families of good birth and breeding and those of the "submerged tenth."

He first came to the notice of white men when a boy of 18, he attended the Harney treaty council of March, 1856, held at Old Fort Pierre, but he was there in the capacity of "horse herd" to Chief Swan, and his social standing was so mean that Swan would not permit him to come into association with his own family and the "wrangler's" meals were placed on a platter and shoved out to him from under the flap of the chief's tent.

When the council broke up and the people were returning to their homes Sitting Bull borrowed a horse from Swan and struck off to the south, whence he returned a few days later with a respectable drove of horses which he had stolen from the Pawnees in Nebraska. This stroke of enterprise was his first passport to the consideration of his neighbors, and the recital of his exper-

iences on the trip his first attempt at public oratory. He was not slow to discover that he possessed unusual gifts as a horse thief and as an orator. He accumulated horses and astonished his elders with the fervor of the impassioned addresses he made at the dances, but he was sternly denied a seat in the council. At that time he was a blustering, overgrown boy with a cunning, crafty, effeminate face, not at all in keeping with his sturdy body.

With a steady persistence which characterized him throughout his career he determined to win distinction despite the prejudice of the upper caste men. There were two ways open to him. He must acquire fame as a brave, or as a medicine man. He engaged in some forays against enemies, but with indifferent success; he had no stomach for real warfare. His native craft turned him more and more to the tricks of the conjuror. From the beginning he was successful in this direction. He developed his subtle talents and soon began to acquire fame as a prophet. Astuteness, luck and some advance information assisted him to prognosticate certain coming events with a percision which confounded the big chiefs who had so profoundly ignored him. They were compelled to recognize his "medicine."

All this did not come at once, but as the result of years of persistent plotting. His oratory also increased in fervor and impressiveness and aided by his conjurer's tricks he acquired almost supreme influence with his nation. He hated the white men and their ways while he clung to the practices of his ancestors. Half demagogue, half patriot, he harangued his friends upon their duty to drive the white invaders from the prairies until he had fomented a feverish hostility among them. He accompanied war parties; incited them to valorous deeds, suggested effective plans for campaigns, but when the real fighting began invariably withdrew to make medicine. The old chiefs sneered at him and charged him with cowardice, but he met the sneer with some trick of medicine, or oratory which won the braves to his standard and the old men were compelled to admit him to the council where he was the dominant influence. As he grew older he became more and more imbued with the heathen religion, most proficient in its rites and avowed himself and was accepted as the chosen prophet

of the God of the Sioux from whom he frequently proclaimed divine revelation. For this native religion he seemed to have real veneration.

When he returned to his people after his captivity at Fort Randall he settled down at his boyhood home on Grand river well convinced that further open rebellion against the whites would prove futile, but he found his relatives had come a good deal under the influence of white missionaries and he set about to re-establish them in the religion of their fathers.

About the time of his return to Grand river and a life of peace, Miss Mary C. Collins, a missionary of the Congregational church established a mission at Little Eagle, about ten miles below Sitting Bull's camp. This Christian enterprise was most displeasing to him and he used his utmost endeavor to keep his friends from yielding to its influence; nevertheless she made some converts and soon drew a faithful band of friends around her. Though Sitting Bull had frequently met Miss Collins as she went about her work he had never spoken to her, until one day he appeared upon his horse, in front of her house, with an infant in his arms, and preemptorially called for her to come out. Although she distinctly heard his call she paid no attention to it, and repeating it thrice without effect he dismounted and going in angrily demanded to know why she had not obeyed his summons. Miss Collins patiently explained to him that he had been guilty of a grave breach of good usage; that gentlemen are not to call ladies out but to go in to them. Sitting Bull replied that he was not aware of that regulation of polite society but that he would not forget, and he did not. "But, Winona," he said, addressing her by her Sioux name, "I am a great medicine man, I have exhausted my powers upon this, my sick child, without avail. It is dying. If you can restore it I will concede your medicine to be superior to mine." Miss Collins is an accomplished physician, and taking the child from his arms, as it went into a spasm, she discovered its gums were black and swollen. She caught up a lance and scored the gums, placed the child in a warm bath and it fell into a quiet, refreshing sleep and was practically well from that moment. The incident made

a deep impression upon Sitting Bull, and he could not sufficiently show his gratitude. Shortly afterward he sent for the missionary and ceremoniously adopted her into the tribe as his sister and ever after addressed her by that title.

For ten years they resided side by side as the best of friends but the most inveterate rivals. Nothing naturally afforded Miss Collins so much joy as to convert one of his followers to Christianity and nothing else afforded Sitting Bull so much satisfaction as to induce one of these converts to backslide. He set up in his home an orphan asylum and reared as his own children eleven orphans, and perhaps the highest encomium which can be paid to his memory and character is to recite the fact that every one of these orphans, still living, regards the memory of his foster father with the utmost affection and reverence. In his diatribes against the whites and when he desired to drive his people into revolutionary action he was fierce and terrible, and with dreadful invective and withering irony forced them to his support, but in his home life, surrounded by his wives and children and intimate friends he was as gentle as a refined woman. During the period after his return from captivity, he was absent one or two seasons as an attraction with a traveling wild west show. There he came into contact with the seamy side of white life, was thrown into contact with people of low propensities and all of his preconceived notions of the inferiority and degradation of the white race were confirmed. Returning to his home, he recited the conditions with which he had come in touch, told many incidents which had shocked his sense of propriety and decency and concluded with the emphatic declaration: "I would rather die a Dakota than live a white man."

Thus conditions continued until 1890 when the Messiah craze possessed the Sioux. Sitting Bull early obtained information of it and seemed to feel that his opportunity had come. It does not appear that he contemplated armed hostility to the whites, though his hatred of them had in no degree abated. His hope and his ambition was to regain his old time influence over the Sioux and win them back to the heathen religion, of which he deemed himself the high priest and vicegerant of God. Early in the autumn of that fateful year, Sitting Bull began to proclaim heavenly visions which had been vouchsafed to him. He had been conveyed to the Rocky mountains and there he had seen his

deceased friends, neighbors and relatives restored to life and had been assured that within a brief period they would return to their homes and families. The whites were all miraculously destroyed, the game restored and all the happy conditions of the old wild days were as they were before the white destroyer came among them. These alleged revelations made a tremendous sensation among the Sioux as, indeed, they would have produced in any community however civilized. The heathen Indians accepted them as true without question; the Christians were greatly disturbed and most of them in a short time became convinced of the truth of what the priest revealed.

Sitting Bull set up a prayer tree and organized the sacred dance; erected a large medicine tent for his own use and daily delivered new revelations to the people who flocked to him from every part of the reservation. The excitement was hourly augmented until Sunday, December 7, when Miss Collins went to Sitting Bull's camp, as usual, to hold Christian services in the little church the faithful had provided for the purpose. Of her ordinary congregation of more than one hundred persons only three appeared and the noise of the nearby dance drowned their hymns of devotion. The people were possessed by a religious fever bordering upon insanity.

Leaving the church, Miss Collins went to Sitting Bull's tent and demanded admission; her messenger came back to inform her that Sitting Bull was engaged in prayer and could not be disturbed. She was insistent and he came out to her and with much ceremony conducted her into the tent before allowing her to speak. When leave was finally granted she said: "Brother, you are deceiving and ruining your people. You know this. They have left their homes, their stock is neglected and dying; many of the people are starving; the soldiers are coming and blood will be shed and you will be held responsible for it. You must stop this nonsense and send the people home at once." He listened gravely and replied: "Sister, I have gone too far; I cannot give it up; the people will laugh at me."

"It makes no difference how much they laugh," retorted the missionary, "this thing must be stopped at once. Go out to them and tell them to stop dancing and go home."

"Sister, I cannot," doggedly answered the old priest.

"You must do it; you must do it right now; the soldiers are

coming," she exclaimed, almost hysterical by this time.

"I cannot, sister, I cannot, but you do it. Go to the people, Sister, and tell them that I, Sitting Bull, said it."

At that Miss Collins left him unceremoniously and ran out to the dance where for days the posturing and whirling had gone on without interruption, strong men keeping up the exertion until overcome by exhaustion, their places to be instantly filled by others, some falling in feigned trances, to make startling revelations which added to the furor of excited clamor. So intent and preoccupied were they that she could get no attention from anyone until Louis Sitting Bull, a relative of the old man's, fell in a feigned trance. The missionary rushed into the thick of the dance and caught him by the shoulder shaking him vigorously. "You are only making believe," she cried, and he grinned sheepishly. Her action had interrupted the dance and the people were watching narrowly and when Louis grinned, a derisive laugh went up. That was the end. In a moment the excitement was over. With the assistance of Louis the people were packed into their wagons and hurried away and their movements were accelerated by the threat of the approach of the soldiers, for Miss Collins had been informed that the military was already moving that way. Before night seventy-five wagon loads of people had left the camp and scattered out toward their own places. Only those living in the immediate neighborhood remained. Sitting Bull abandoned the medicine tent and went to his substantial house to sleep.

During the ensuing week conditions were unsettled about Sitting Bull's but there was no more dancing; the approach of the soldiers was constantly expected. The native police kept the camp under surveillance and they spread the report that Sitting Bull was getting ready to go to Pine Ridge to join the dancers there. This was probably a mistaken theory but the police believed it, and the military authorities concluded it would be wise to place him under arrest. The plan to do so was carried out at 4 o'clock Monday morning, December 15. The fatal outcome is written in the history of the country.

It is not the purpose here to make any arbitrary deductions as to the ultimate character of the man, but simply to afford these additional testimonies, to aid the critical historian in arriving at a truer estimate of one of the men who has achieved national fame.

A SIOUX INDIAN VIEW OF THE LAST WAR WITH ENGLAND.

BY DOANE ROBINSON.

Rev. John B. Renville, a Presbyterian clergyman, was the son of Joseph Renville, official interpreter to Major Robert Dickson, who held supreme power in matters pertaining to British interests in the west during the war of 1812. Joseph Renville was himself of mixed, French and Sioux blood; he died in 1848. John B. Renville was Joseph's son by a Sioux mother. He was a man of some education; could read English to a certain extent and spoke it with great difficulty. Except when for a short period in school, he spent his life with the Sioux to whom he ministered until his death at an advanced age about 1901. He was especially well versed in the lore of the Sioux. The following interview he gave to me on two occasions in the summer of 1900. While I have reduced it to narrative form he gave me the statements in reply to many inquiries, though at times he dropped into sustained narrative. To make his story coherent I have supplied a few incidents from the known history of the period. In part his version was verified by Joseph LaFramboise, also a mixed blood Sioux. He told the story as the common knowledge of the older Indians, and as having been related many times by his father in the campfire gatherings:

"When the first war with England was over and Canada had given up the rich regions of the west to the Americans, the English subjects were very much discontented with the terms of the treaty; the Indians too, disliked to give up their English traders, and in fact did not do so, and for many years the English both from Canada and Hudson's Bay supplied the trade and purchased the furs all over the Mississippi valley, but after a time the Americans began to object to the English trading here. Detroit and Macinaw became American posts, the English could not well get to us from Canada and had to come by way of Hudson's Bay. While the Americans kept the English out, or

made it inconvenient for them to get in they did not themselves do much to supply the trade.

"After a time, for I can tell nothing about the years, the Canadians and English began to think about recovering the rich western country and attaching it to Canada. This was pleasing to the Sioux and other tribes. Wherever the traders went they talked about it and pretty soon they began to make plans. They would provoke the Americans to war and then would recapture the country. They tried many plans to make the Americans fight but they were afraid and would not. Then the Sioux began to hear about Tecumseh, a great chief of the Shawnees, who was a friend of the English. Presently runners came from the Shawnees, telling wonderful dreams, which Tecumseh's brother had dreamed. All of the country west of the Alleghany mountains was to be saved to the Indians; all of the tribes were to join in a great confederacy of which Tecumseh was to be chief. All of the dead Indians were to be restored and reunited to their friends and relatives. All of the tribes were greatly interested and the excitement grew into a religious fervor. The Sioux as well as the others believed the message from the Prophet was sent by God and they were willing to join in the confederacy, which was to be entirely independent, while the English were to protect it from the white invaders and to supply it with all sorts of trade. The Indians believed a genuine millennium was to come to them and they were eager to assist in driving back the Americans and to help the English. The excitement spread from tribe to tribe until all the Indians from Hudson's Bay and even to the Rocky mountains were affected by it. Still the English could not make the Americans fight and Tecumseh growing tired began acts of hostility on his own account, believing the English would, if the Indians began, come to their help; the English, however, wanted the Americans to begin the trouble and they got their soldiers posted where they could strike Detroit and Macinaw as soon as war began. The Americans sent an army against Tecumseh and destroyed his village but they could not conquer him. Pretty soon the Americans declared war against England, which is what the English had long wanted and as soon as the news

could travel out west, they took Macinaw and then Detroit, with scarcely any trouble at all and the whole northwest was again open to them.

"Major Robert Dickson, who had long traded with the Sioux and who was married to one of our women, was sent out to organize the Indians of Wisconsin and Minnesota and he employed my father, Joseph Renville, as his interpreter, and from that time until the war closed, father was with Dickson all of the time except when he was off upon some mission for him. The English gave Dickson all the money he could spend. He told father he wanted the Sioux to help Tecumseh and the Santee Sioux, who then lived on the Mississippi were glad to go and we heard that our relatives, the Teton Sioux, who lived on the Missouri, were coming also. Most of the braves of the Santees went with Dickson down into Ohio and fought with Tecumseh and tried to take an American fort, but while they were fighting before the fort one of our men, Tamaha, who had been on the Missouri, came to tell the braves the Tetons had turned against them and would make war on them and destroy their families who were left unprotected on the Missouri. The Sioux at once came back home to take care of their own people, but father stayed with a very few Yanktonais who did not desert and went down to another fort on Lake Erie, but they were not able to take either fort because the Sioux had deserted and left them with too few soldiers.

"Father and Dickson came back to the Mississippi and several times they got the Santees ready to go back to fight in Ohio and Canada, but every time as they were ready to leave they would hear the Tetons, or the Potawatomies were grown hostile and were coming to fight them and so they stayed near home and did almost nothing to help the English. In the second year of the war Tecumseh was killed and that put an end to the idea of a great Indian confederacy, though the English still said they were fighting only to get the lands back for the red people, but father had learned at Detroit that the English were fighting to get the west back for Canada. Dickson kept bringing presents to the Sioux and did all he could to get them to fight the Americans,

but they did not dare to leave their homes because of the threats of their enemies.

"Father noticed all the stories of troubles were told by Tamaha or could be traced to him, and when he told Dickson about it he was very angry and said he would make Tamaha suffer for what he had done. He had him whipped and locked up but Tamaha would not tell anything and there was no proof that he was dishonest and the Santees, especially Wapasha, to whose band Tamaha belonged, believed in him so nothing could be done. During the war the Santees gave up hunting and lived on the presents Dickson gave them and were getting poorer all the time. The Santees and other tribes were getting very much discouraged about the war, but the English told them they had settled up all the other matters about which the war was made, but would not give it up until the Indians got their lands back, and right away after that, news came that peace had been made, and the English burned the fort they had built on the Mississippi and went away and left the Santees to get along the best way they could. The Americans sent for the head men to go to Saint Louis to treat with them and father went down with some of his friends. There he met the Spaniard Manuel Lisa and learned from him that he had kept a post all through the war for the Tetons at the Big Bend of the Missouri (in central South Dakota), and that he had kept Tamaha, who was in his employment, running back and forth to scare the Santees and keep them from helping the English. He had given the Tetons good trade and kept them hunting and the Tetons, father met, near Saint Louis, were prosperous and well contented while the Santees were poor and starving; so it will be seen that one man, without any fighting, was smart enough to make the Santees, who cost England lots of money, from being worth anything in the war at all."

Essentially this is Mr. Renville's interpretation of the significance and result of the war of 1812 as the Sioux understand it. Necessarily it is a one sided view, which does not understand or take into account all of the phenomena surrounding the event, but it fully discloses all of the phenomena that came within the purview of the western Indians. There can be no question that the

Canadians of that day were much more farseeing, so far as the value of the middle west was concerned, than were the American statesmen and they realized the prize was worth a great struggle to secure. There are abundant other evidences that the Canadians indulged vivid dreams of great territorial acquisitions and a mid-continental national development.

Perhaps the most valuable feature of Mr. Renville's testimony is the light it sheds upon the patriotic labors of Manuel Lisa, at that trying period of the national life. That this man, single handed, performed a service to his country which perhaps is not equalled by the personal effort of another American, has long been known in the west, though it has failed of general recognition from the public. Had all of the Sioux, then not less than ten thousand warriors strong, thrown their might with the English and fallen upon the Ohio and Canadian frontier, the geography and history of the United States might have been vastly different from what it is today. That the Teton Sioux were infected with the "Prophet Craze" as they were eighty years later with the Messiah Craze, is certain, but at the psychological moment Lisa, who understood their sentiments better than any other frontiersman came among them, and by the craft of which he was master arrested them in their determination to join the Tecumseh confederacy, and by an industrious use of subtle Spanish diplomacy made them a three years' terror to their relatives, the Santee Sioux of the Mississippi, utterly paralyzing the latter so far as any advantage from them to the English was concerned; indeed making them a real burden to their English ally.

It is as fair to declare that Lisa saved a vastly larger territory to the American union than did Clarke as it is to claim that George Rodgers Clarke saved the middle west. Mr. Renville's narrative supplies the testimony which forges several links in the chain of testimony in support of the claim for Lisa's patriotic service.

SIOUX INDIAN COURTS.

WRITTEN BY DOANE ROBINSON FOR THE STATE BAR ASSOCIATION.

In their primitive life the Sioux Indians of North America had an intelligent system of jurisprudence, varying somewhat in the different bands, as our court practice varies in the several states but nevertheless recognizing the same general principles throughout the confederacy.¹

It is not an easy thing to determine the laws or the practices of an unlettered people, who have abandoned the wild and primitive life to live under regulations prescribed by their conquerors, and who must depend upon tradition and recollection for the practices of the old life; but fortunately intelligent observers have from time to time, during the past two and one half centuries, noted their observations, and these, supplemented by the recollections of the older men now living, give to us a fairly clear understanding of the courts and the legal practices of these people.

Primarily the Sioux government was by clans,—patriarchal, but within the clan it very nearly approached the representative republican form. The council was the representative body which gave expression to the will of the people. True the council was selected by the chief of the clan, but his very tenure of office depended upon his using the nicest discretion in inviting into his cabinet the men of character, valor and influence, so that the body was almost invariably entirely representative of popular views and interests. Caste cut a considerable figure; indeed it has been said by those most intimate with Sioux life that there is as much caste among the Dakotas as among the Hindus.² Only high caste men of course would be permitted to sit in the deliberations, but when a council was to be convened the ordinary practice

1. Most writers upon Indian life have noted the existence of these courts. Since undertaking this paper, I have consulted Hump, One Bull, Wakutemani and Simon Kirk, all intelligent Sioux and, save as otherwise noted, they are my authorities for the statements herein contained.

2. Miss Mary C. Collins, for thirty-three years missionary among the Tetons, especially the Hunkpapa and Blackfoot bands.

was for the chief's crier to go out and announce to the camp that a matter was to be considered in council, and the head men at once assembled and seated themselves in the council circle as a matter of course and of right.³ The chief, unquestionably a man of courage and physical power, was an executive officer who rarely asserted arbitrary rule, particularly in civil affairs, for the Sioux were too high spirited a people to tolerate anything savoring of despotism. Usually he was suave, diplomatic and tolerant, and enjoyed the affections and veneration of his people. Most public affairs were determined in the general council, including many subjects naturally falling within the jurisdiction of courts of justice, but aside from the council were two distinct courts, one exercising jurisdiction in matters civil and criminal in times of peace; the other taking the broadest and most comprehensive jurisdiction of all things military, and in time of war assuming jurisdiction in all of the affairs of the people, arbitrarily placing the camp under martial law.

The judges of these courts were usually twelve in number and held their places by hereditary right, though occasionally some low caste man, through some brilliant exploit would break into this exclusive and aristocratic circle and sometimes even exercised dominating influence which the aristocrats dared not oppose, though he was still regarded as a plebian upstart, and was despised by the upper ten, and his rank died with him. Ordinarily from seven to twelve judges sat for the trial of causes, but sometimes even a greater number were permitted. The civil court in time of peace took cognizance of civil and criminal matters arising in the band. Civil actions usually grew out of disputes about the ownership of property and the court patiently heard the testimony of the parties and witnesses and at once determined the ownership of the article, delivered it to the successful litigant and the decision was never reviewed or questioned. A majority of the court determined the judgment.

Criminal matters of which the court took cognizance were assaults, rapes, larceny and murder; all crimes against persons;

3. Letter of Dr. Thomas L. Riggs, to writer, June, 1903.

and if committed against a member of the tribe were severely dealt with. Sometimes it was necessary to prove the crime by competent witnesses, and the court was the judge of the credibility of those who testified, but rarely, however, was it necessary to summon witnesses, for if the accused was really guilty it was a point of honor to admit the offense and take the consequences. Thus the real responsibility resting upon the court in most cases was to determine the penalty. Usually a severe penalty was imposed which could be satisfied by the payment of a certain number of horses or other specific property to the injured party, or his family, but if the offense was peculiarly repellent to the better sentiment of the camp the court might insist upon the summary infliction of the sentence imposed. This might be the death penalty, exile or whipping; or it might be the destruction of the tepee and other property of the convict. These latter penalties were, however, usually reserved for another class of offenses; crimes which were against the community rather than against an individual. These offenses were generally violations of the game laws and the offender could expect little mercy. How reasonable this policy was will be readily understood when we recall that the subsistence of the entire nation depended almost entirely upon the preservation of the wild game. The individual, who would wantonly kill game fit for food, or frighten it away needlessly from the vicinity of the camps was a public enemy and was treated accordingly. He was fined, his property destroyed, he was whipped, or if a persistent offender he was reduced from his position as a hunter and made to do the menial duties of a squaw; the latter being the most humiliating and terrible sentence which could be imposed, deemed much worse than death and if the convict was a man of ordinary spirit he usually chose to commit suicide in preference.⁴

For some offenses a convict was exiled from the camp, given an old tepee and a blanket, but no arms, and was allowed to make a living if he could. Sometimes he would go off and join

4. Interview with Joseph LaFramboise of Veblen, a Sisseton, at Sioux Falls, in October, 1900.

some other band, but such conduct was not considered good form and he usually set up his establishment on some small hill near the home camp and made the best of the situation. If he conducted himself properly he was usually soon forgiven and restored to his rights in the community. If he went off to another people he lost all standing among the Sioux and was thereafter treated as an outlaw and a renegade. The entire band of Inkpaduta, once the terror of the Dakota frontier, was composed of these outlaws.⁵

The camp policeman was the most important officer of the court and he frequently took upon himself the adjudication of petty quarrels and the summary punishment of small offences committed within his view. He was appointed by the chief for one or more days' service and he made the most of his brief span of authority. In addition to executing the orders of the court he was always on the watch to preserve the tranquility of the camp during the day and he stood upon guard at night. When ordered to do a thing it was a point of honor to accomplish it or die in the attempt. He was a peace officer, delighting to fight for peace' sake at any time.⁶

While the civil court was composed of the "elder statesmen" the military court was composed of the war chief and his most distinguished braves, and, as has been before suggested herein, exercised unlimited power in time of war and was implicitly obeyed. It took jurisdiction of all matters growing out of infractions of the "Articles of War" and of all civil and criminal affairs of the tribe as well. There was no appeal from its judgments and its sentences were summarily executed. An anecdote will illustrate something of its practice: In the campaign of 1876, after the affair at Little Big Horn, Grey Eagle, a Huncpapa headman of a good family and with a good military record was charged with stealing a horse from another warrior of the Sioux forces. He denied the charge but the property was in his possession and he could not satisfactorily explain his connection with it. He was placed upon trial, witnesses sum-

5. Flandreau's Minnesota.

6. Journal of Lewis and Clarke September 26th and 27th, 1804.

moned and he was convicted of the theft and sentenced to be whipped, a punishment most befitting the mean estate of a squaw. The sentence was executed in full view of the entire camp. Grey Eagle continued in the campaign, fighting valiantly at every opportunity, but he was filled with an intense desire for revenge against the court and particularly against Sitting Bull, a plebian who had compelled recognition from the aristocrats, and whom the convict believed to be especially responsible for his humiliation. Though not apropos to this discussion it may be of interest if I shall add that after the lapse of fourteen years, one December morning in 1890 when a party of native policemen, inspired very largely by the aristocratic hatred for the presumptuous plebian, came down upon the home of Sitting Bull and effected his arrest and were taking him away through an excited throng of his friends, the voice of Grey Eagle, from out in the darkness shouted: "Sitting Bull is escaping, shoot him, shoot him!" whereupon began the outbreak which within the moment resulted in the death of the old medicine man and seventeen of the police and Indians.⁷ It, too, may be of further interest to relate that at the present time Grey Eagle is the Chief Justice of the native court at Bullhead Station, South Dakota.

Among the duties of this court was to determine the limits of each day's march when out upon a campaign, and to regulate the camping places. This was an important function, for the army subsisted off the country and unless the utmost care was exercised "the base of supplies" would be frightened away and the band subjected to starvation.

A court very similar to the military court was likewise organized for each great hunting expedition and given absolute control of the general movement, but this hunting court did not interfere with the ordinary jurisdiction of the civil court in matters of personal disputes, personal injuries and the like. In 1841, General Henry H. Sibley, of Minnesota, proposed to the Indians residing about his home at Mendota that they go down to the "Neutral Strip" in Northern Iowa for a long hunt. The

7. Related by Miss Mary C. Collins, April, 1908.

Sioux were agreeable, and to get the matter in form Sibley made a feast to which all of the natives were invited. After eating and smoking several hundred painted sticks were produced and were offered for the acceptance of each warrior. It was understood that whoever voluntarily accepted one of these sticks was solemnly bound to be of the hunting party under penalty of punishment by the soldiers if he failed. About one hundred and fifty men accepted. These men then detached themselves from the main body and after consultation selected ten of the bravest and most influential of the young men to act as members of the hunting court. These justices were called soldiers. Every member bound himself to obey all rules made by the court. A time was then fixed for the start. At the appointed time and place every one appeared but one man who lived twelve miles distant. Five of the court at once started out to round him up. In a few hours they returned with the recalcitrant and his family, and with his belongings packed upon his horses. He was duly penitent and not subjected to punishment, though he was severely threatened in case he again failed. General Sibley thus tells the story.⁸ "We," Sibley and his white friends, "became subjects to the control of the soldiers. At the close of each day the limits of the following day's hunt were announced by the soldiers, designated by a stream, grove, or other natural object. This limit was ordinarily about ten miles ahead of the proposed camping place and the soldiers each morning went forward and stationed themselves along the line to detect and punish any who attempted to pass it. The penalty attached to any violation of the rules of the camp was discretionary with the soldiers. In aggravated cases they would thrash the offender unmercifully. Sometimes they would cut the clothing of the man or woman entirely to pieces, slit down the lodge with their knives, break kettles and do other damage. I was made the victim on one occasion by venturing near the prohibited boundary. A soldier hid himself in the long grass until I approached sufficiently near when he sprang from his concealment and giving the soldiers' whoop rushed upon me.

8. Minnesota Historical Collections, Vol. III.

He seized my fine double barreled gun and raised it in the air as if with the intention of dashing it to the ground. I reminded him that guns were not to be broken, because they could be neither repaired or replaced. He handed me back the gun and then snatched my fur cap from my head, ordering me back to camp, where he said he would cut up my lodge in the evening. I had to ride ten miles bareheaded on a cold winter day, but to resist a soldier while in the discharge of duty is considered disgraceful in the extreme. When I reached the lodge I told Fairbault of the predicament in which I was placed. We concluded the best policy would be to prepare a feast to mollify them. We got together all the best things we could muster and when the soldiers arrived in the evening we went out and invited them to a feast in our lodge. The temptation was too strong to be resisted." They responded, ate their fill, smoked and forgave the "contempt of court," which indicates that the judiciary, even in that primitive time, was not wholly incorruptible.

The modern Sioux Courts, organized under the authority of federal law and in accordance with the rules of the Indian Department, are perhaps of more interest to lawyers than the courts of the primitive tribes. The modern courts were first proposed by General William S. Harney, in 1856, and were provided for in the treaty made at Fort Pierre in March of that year, which unfortunately was not ratified by the senate.⁹ It can scarcely be doubted that had Harney's scheme for making the Sioux responsible to the government for the conduct of their own people been adopted, much bloodshed and treasure would have been saved.

It was not until after the Red Cloud war ended in 1868 that the courts for Indian offenses, equipped by the Indians themselves, began to be tried at some of the agencies in a small way. The Sissetons and Santees were first to give them a trial and eventually they were supplied to all the Reservations except the Rosebud,

9. This treaty was not ratified because of the large expenditure which would be demanded to uniform and subsidize the police force. Afterwards we spent in a single year for the subjugation of the Sioux sufficient money to subsidize the police for a century.

which, for some reason of which I have been unable to secure information, has never had them.

The following general rules governing courts of Indian offenses pursuant to the statute have been adopted by the Indian Department:¹⁰

First: When authorized by the Department there shall be established at each agency a tribunal consisting ordinarily of three Indians, to be known as "the Court of Indian Offenses," and the members of said court shall each be styled "judge of the Court of Indian Offenses."

Agents may select from among the members of the tribe persons of intelligence and good moral character and integrity and recommend them to the Indian Office for appointment as judges; provided, however, that no person shall be eligible to such an appointment who is a polygamist.

Second: The court of Indian Offenses shall hold at least two regular sessions in each and every month, the time and place for holding said sessions to be agreed upon by the judges, or a majority of them, and approved by the agent; and special sessions of the court may be held when requested by three reputable members of the tribe and approved by the agent.

Third: The court shall hear and pass judgment upon all such questions as may be presented to it for consideration by the agent, or by his approval, and shall have original jurisdiction over all "Indian offenses" designated as such by rules 4, 5, 6, 7 and 8 of these rules. The judgment of the court may be by two judges; and that the several orders of the court may be carried into full effect, the agent is hereby authorized and empowered to compel the attendance of witnesses at any session of the court, and to enforce, with the aid of the police, if necessary, all orders that may be passed by the court or a majority thereof; but all orders, decrees, or judgments of the court shall be subject to approval or disapproval by the agent, and an appeal to and final revision by the Indian Office; *Provided*, that when an appeal

10. Rules and Regulations of the Indian Office governing Indian Reservations. Letter of Hon. John R. Brennan, agent at Pine Ridge, April, 1908.

is taken to the Indian Office, the appellant shall furnish security satisfactory to the court, and approved by the agent for good and peaceful behavior pending final decision.

Fourth: The "sun dance," and all other similar dances and so-called religious ceremonies, shall be considered "Indian offenses" and any Indian found guilty of being a participant in one or more of these offenses shall, for the first offense committed, be punished by withholding from him his rations for a period not exceeding ten days; and if found guilty of any subsequent offense under this rule, shall be punished by withholding his rations for a period of not less than fifteen days nor more than thirty days, or by incarceration in the agency prison for a period not exceeding thirty days.

Fifth: Any plural marriage hereafter contracted or entered into by any member of an Indian tribe under the supervision of a United States Indian Agent shall be considered an "Indian offense" cognizable by the court of Indian offenses; and upon trial and conviction thereof by said court the offender shall pay a fine of not less than twenty dollars, or work at hard labor for a period of twenty days, or both, at the discretion of the court, the proceeds thereof to be devoted to the benefit of the tribe to which the offender may at the time belong; and so long as the Indian shall continue in this unlawful relation he shall forfeit all right to receive rations from the government. And whenever it shall be proven to the satisfaction of the court that any member of the tribe fails, without proper cause, to support his wife and children, no rations shall be issued to him until such time as satisfactory assurance is given to the court, approved by the agent, that the offender will provide his family to the best of his ability.

Sixth: The usual practices of so-called "medicine men" shall be considered an "Indian offense" cognizable by the court of Indian offenses, and whenever it shall be proven to the satisfaction of the court that the influence of a so-called "medicine man" operates as a hindrance to civilization of a tribe, or that said "medicine man" resorts to any artifice or device to keep the Indians under his influence, or shall adopt any means to prevent

the attendance of children at the agency schools, or shall use any of the arts of the conjurer to prevent the Indians from abandoning their heathenish rites and customs, he shall be adjudged guilty of an "Indian offense," and upon conviction of any one or more of these specified practices, or any other, in the opinion of the court, of an equally anti-progressive nature shall be confined in the agency guardhouse for a term not less than ten days, or until such time as he shall produce evidence satisfactory to the court, and approved by the agent, that he will forever abandon all practices styled "Indian offenses" under this rule.

Seventh: Any Indian who shall wilfully destroy or with intent to steal or destroy, shall take and carry away any property of any value or description, being the property free from tribal interference, of any other Indian or Indians, shall, without reference to the value thereof, be deemed guilty of an "Indian offense," and, upon trial and conviction thereof, by the court of "Indian offenses," shall be compelled to return the stolen property to the proper owner, or, in case the property shall have been lost or destroyed, the estimated full value thereof, and in any event the party or parties so found guilty shall be confined in the agency guardhouse for a term not exceeding thirty days; and it shall not be considered a sufficient or satisfactory answer to any of the offenses set forth in this rule that the party charged was at the time a "mourner," and thereby justified in taking or destroying the property in accordance with the customs or rites of the tribe.

. Eighth: Any Indian or mixed blood who shall pay or offer to pay any money or other valuable consideration to the friends or relatives of any Indian girl or woman, for the purpose of living or cohabiting with said girl or woman, shall be deemed guilty of an "Indian offense," and upon conviction thereof shall forfeit all right to government rations for a period at the discretion of the agent, or be imprisoned in the agency guardhouse for a period not exceeding sixty days; and any Indian or mixed blood who shall receive or offer to receive any consideration for the purposes hereinbefore specified shall be punished in a similar

manner as provided for the party paying or offering to pay the said consideration; and if any white man shall be found guilty of any of the offenses herein mentioned he shall be immediately removed from the reservation and not allowed to return thereto.

Ninth: In addition to the "offenses" hereinbefore enumerated, the court of "Indian offenses" shall also have jurisdiction (subject to the provisions of rule 3) of misdemeanors committed by Indians belonging to the reservation, and of civil suits where Indians are parties thereto; and any Indian who shall be found intoxicated, or who shall sell, exchange, give, barter or dispose of any spirituous, vinous, or fermented liquors to any other Indian, or who shall introduce or attempt to introduce under any pretense whatever any spirituous, vinous, or fermented liquors on the reservation, shall be punishable by imprisonment for not less than thirty days nor more than ninety days or by withholding of government rations, therefrom, at the discretion of the court and approval of the agent.

The civil jurisdiction of such court shall be the same as that of a justice of the peace in the State or Territory where such court is located, and the practice in such civil cases shall conform as nearly as practicable to the rules governing the practice of justices of the peace in such State or Territory, and it shall also be the duty of the court to instruct, advise and inform either or both parties to any suit in regard to the requirements of these rules."

Under these rules the courts are organized and hold their sittings at such times and places as will be most convenient for the people, as for illustration, upon the Cheyenne River Reservation one judge sits at each substation at each semi-monthly ration issue, and if for any reason a party is dissatisfied with his decision, he has a right to appeal his case to the entire bench which sits for the purpose at the agency at regular intervals.¹¹

Persons convicted of such offenses as come within the jurisdiction of the court are committed to the guard-house for a stated

11. Letter of Prof. C. W. Rastall, Superintendent at Cheyenne River, April, 1908.

period, and are required to work in keeping up the grounds about the agency or substation, as the case may be. They make very little trouble and rarely does one attempt to escape, though they work without guard.¹²

The Indian people generally have great respect for the judges of their courts and the latter show much wisdom and discretion in their decisions, though they do not always place the white man's estimate upon the relative enormity of offenses. I was present at a session of the Cheyenne river court in 1892, when two parties accused with crime were brought before it. One was charged with stealing a picket pin of the value of thirteen cents and he got thirty days in the guard-house, while the other, convicted of a rape, got ten days.

Formerly the judges were not compensated, but now they receive a nominal salary,—from five to ten dollars per month,—and their board while sitting. It is regarded as a great distinction to be chosen to the bench and the courts administer the law, as they understand it, with dignity and firmness.¹³ There are no lawyers upon the reservations but a friend may appear for a party to an action, or one accused of an offense and the trials are conducted with much formality and the pleas are frequently shrewd and eloquent. Every Indian is an orator by nature, and the courts afford the best modern opportunities to display their gifts.

The police force upon all of the reservations is composed of the natives and they are highly efficient and render great assistance to the courts in preserving the peace and in bringing offenders to justice. It is a point of honor for a Sioux policeman to do his whole duty regardless of obstacles and neither kin nor friend can expect leniency if he stands in the way of duty, and this is equally true of the courts. It is not an infrequent thing for the judge to try his son or near relative and

12. Letter of T. W. Lane, agent at Crow Creek, April, 1908.

13. Letter of Major Brennan.

in such cases the accused is sure to get the limit of the law.¹⁴

Without exception the Indian authorities commend the native courts and policemen for fidelity and effective administration of justice.

14. Interview with Solomon Two Stars, hereditary chief of Sisseton, August, 1901. Monthly South Dakotan, December, 1901.

AN INCIDENT AT OLD FORT SULLY.

STATEMENT OF LEONIDAS MERRITT, COMPANY B, BRACKETT'S
BATTALION, MINNESOTA CAVALRY, NOW OF DULUTH, MINN.

I served with Sully in the summer of 1864, going from Fort Snelling to Sioux City, then up the Missouri river, joining the Second Minnesota at Goose Lake and assisting in the erection of Fort Rice, North Dakota. At Fort Rice I was taken with typhoid fever and in consequence was unable to return down river with my regiment.

In November I joined a Mackinaw boat party from the mountains and started down the river. When we were shortly above Little Bend we ran out of provisions and I was sent ashore to hunt game. I secured one antelope which made a supper for the men but the next morning I started out, hoping to get an elk. I came across the neck of land at Little Bend and started to hunt through that region. The boat did not overtake me and I practically knew nothing of my location until sundown when I discovered the remains of old Fort Pierre across the river, and could see up the valley of Bad River. I must have been at the present Snake Buttes. Nearby I saw some animals which I thought were elk, but I soon learned were Indian ponies and presently a party of about fifty Indians came out, stripped for war, mounted their ponies and started in pursuit of me. I came over the hill when the Indians saw me and got over the point and they gave a war whoop and I did not again see them. After resting a moment, I discovered that if I attempted to remain there, it would be at a great risk in the condition my feet and ankles were in. I had not long since recovered from typhoid fever, so I came on to find old Fort Sully. I got quite close to the fort but was unable to see it in the darkness, and after looking about, my eye fell upon a light in the distance and going to it, I found it to be a Santee tepee. I roused the occupants and undoubtedly became unconscious. After a while I was aroused sufficiently to know that I was being rolled on a stretcher by the soldiers and

carried into Fort Sully. In fact, I was only about ten rods from the fort all the time but had been unable to locate it in the dark. Before morning I was aroused by the officer of the day who made some inquiry and I told him of the Indians. A detachment of fifty cavalry was sent out and they found the spot where the Indians had camped. They were presumed to be a party of hostiles come there to steal horses. I was allowed to sleep for forty-eight hours and when I awoke, I felt rested and refreshed. My boating party were not competent to navigate the river, having been hung up on some sand bars and were nearly starved when they reached the fort three days later. We soon went on and reached Fort Randall late in the month of November, just before the river froze up. I went on by stage to Sioux City and across horseback to Fort Ridgeley, Minnesota, where I joined my battalion.

THE BATTLE OF WHITE STONE HILL.

BY J. C. LUCE, 6TH IOWA CAVALRY.

In the afternoon of September 3, 1863, Major House, of the battalion of the 6th Iowa cavalry, was ordered by General Sully on what was termed a scout from the main army. We came down through those hills up through what is now North Dakota until noon. We came to a fine spring of water and stopped to eat our dinner and water our horses and let them graze a little. We had started in the early morning following the afternoon when the order came. We had a man with us for guide whose name was Frank La Frambois. While we were eating, he rode ahead on his pony up the valley. He came back in a little while at a gallop and we could see that he was very excited. He told us that when he had reached the top of the ridge and could see off a distance he had seen at least twenty tepees. He said he had dismounted and crept up to the top of the hill and had seen them plainly but that the Indians had not seen him. In a few moments our camp was all excitement after hearing this message. We all started out at what is called a gallop march until the officers could see the tents or tepees of the Indians. We all said, "Old La Frambois has made a fool of us, we are coming back to Sully's camp." Meanwhile La Frambois had gone on ahead again. We halted and he returned and told us that the tents *were* Indian tepees. We galloped on again. When we had ridden about four or five miles from the place we had eaten our dinner all the time keeping in the valley, we suddenly came upon a whole Indian city of tepees. I think there were at least from five to eight thousand Indians in it. They immediately discovered us and about a hundred of them, all nicely mounted on good horses, came to meet us. Every warrior of the Indians had a long pole on the end of which was fastened a white woman's scalp. Some of them had as many as half half dozen of them, all different colors of hair, yellow and brown and black. They brandished

these as they rode. My first lieutenant, George E. Dayton and Charles F. Foug, with two other officers, and Major House, were sent to have a council with them. The Indians wanted us to smoke pipes with them. Some of the Indians spoke English and during the conference they all suddenly stood up with their hatchets raised ready to kill the officers. They did not, however. Major House ordered his men in four companies in four different directions. My company was to go on the top of the highest hill. We started and went down the ravine and stopped to see what the Indians were doing. The Indians met us there and told us to go back. So my captain halted the company and sent word to Major House about what had taken place and the major ordered him to go ahead. When he halted us we swung into line and now marched four abreast up the hill. Then the Indians made a rush at us, hurling weapons at us and my captain refused to take his men any further, and sent this word to the major, and added that if he wanted to have the men go on he would have to take them himself. Very soon we were ordered back across the ravine and the other three companies met us and we formed a phalanx, and stood dismounted and armed until the sun went down. Meantime the Indians struck tents; taking them down. The ground was covered with buffalo skins which were drying and curing. The women were scraping them and drying the meat. This had been done by the squaws while the warriors were fighting us. The squaws made big packages of all this meat and the skins about two feet wide and three feet thick and about five feet long, each weighing three or four hundred pounds I should think. They tie several long poles together which they call a travois and upon this they carry the package of skin and meat. Each horse thus drags along quite a little. The guide, La Frambois and Whitcomb Moon and W. C. Eaton started after Sully's main army. Sully too had been marching all day so that they did not know just where to find him, but they did not want to take the time to go back to the original camp of Sully and then follow his trail. The Indians started to leave us and we were ordered to corral them. The Second Nebraska regiment, which was on one side, fired a volley as soon as we

surrounded them, but they were further away from the Indians than the division I was in. We were the closest. The Indians charged right at us, shooting, firing arrows and hurling weapons at us. My horse was killed and a friend of mine near me, named Clarke, was killed with his horse. The Indians yelled and the confusion was fearful. Many were killed. The next morning the ground was covered with the blood of the killed and wounded. The whole battle lasted about an hour, though all through the night shots were fired here and there. During the night the Indians went away without their packages of meat and skins. The ground was well covered with the travois, where they had left them in their camps. We burnt up everything, punched holes in everything we couldn't burn and destroyed everything left of their camp. We had been there part of the day of the 3rd, all of the 4th and 5th and part of the 6th. When we came away from the battle ground we brought about 250 or 300 prisoners, some of them little children, away with us. There were three wagon loads of them. They were brought to the place where Pierre now is and I do not know what became of them.

Most reports say that Sully stayed in camp with the main army and our scouts went back to them. This is not so. They were marching at the same time as we were. That is why we were in such a desperate position because we did not know where to go to get Sully and the main army. The scouts could not take the time to go back to the camp where Sully had been and follow his later trail and so just had to strike out and find him. The site of this battle lies just over the line in North Dakota.

THE FIRST LAWSUIT AT PIERRE.

J. C. LUCE.

I had been detailed at Sioux City in the quartermaster's department in the spring of 1864. I had to keep my horse with me but had no occasion to use him so I turned him out to grass. The 7th Iowa cavalry was ordered to come up to Fort Sully. When we got orders to start, I looked for my horse and could not find him anywhere. The headquarters moved and I had to come along. I hated to leave without finding my horse for I thought a great deal of him and he was a valuable animal too. As soon as I got here to Fort Sully, in the fall of 1864, I mistrusted the 7th cavalry had stolen my horse, so I went to look for him. Right there out on the prairie I saw a horse that looked like mine and I called to him and he came to me. He knew me of course. I was then 18 years of age. I started down to the camp of the 7th cavalry. I was rather excited over finding my horse and began telling the first officer I saw all about it. He said to me: "Do you know that you are addressing a superior officer?" He called a guard who took the horse from me. General Sully, at that time, was camping about a mile from this place. I made a grab for the horse and rode to this camp as fast as I could go, and stopped in front of General Sully's tent. The soldiers in the camp could see that I was wrought up over something. I asked the guard to let me see General Sully. When the general came out I saluted him and told him that I had found my horse which I thought had been stolen. He asked me what regiment I thought had stolen it and I replied, "Company K, 7th Iowa." He asked me if L. L. Ainsworth was their captain and I said "Yes." I told him "the company is en route for Fort Sully and they are due there day after tomorrow," and he said, "You just wait here until that captain comes. He will be the proper man to get your horse back." The next morning at sunrise the General asked me if I could get some of the 7th cavalry boys to go with me to identify my horse. George Funk and Mr.

Zion of the 7th Nebraska went with us. We rode over and General Sully appointed his adjutant general as judge. We rode to the place where Company K were camped. W. J. Payne and James Holmes were appointed as witnesses, and we had a regular formal trial. Of course there was the value of the horse, some two hundred dollars involved in it, which would be charged up to my captain and me. Finally, when all the evidence was taken my captain said to me, "Get hold of your horse!" So I did and we made a dash for our camp. I kept my horse. This, I think, was the first trial or law suit in the place where Pierre now is.

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